

**THE NOTES BELOW REPRESENT NOTES  
AFTER THE SECOND CHECK HAS BEEN  
COMPLETED. NO FURTHER  
DOCUMENTS WILL BE REVIEWED PRIOR  
TO HEARING.**

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CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

**PROBATE**

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DATE: 11/03/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0600077

CASE NAME: EST OF HANS VON WILHELMS

HEARING:

Probate status report filed.

COUNSEL:

PATRICIA C EVERETT (PET)...E. JOAN NELMS  
HANS VON WILHELMS (DEC)...

**COMPANION FILE= SCSS02819.**

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Notice of hearing and proof of service filed. However, whenever a status report is filed without an accounting, notice must indicate a right to an accounting in accord with Pr.C. § 10950. This form of notice is mandatory per Pr. C. § 12201(b).
2. Petitioner indicates the real property must be sold to pay the debts and costs of administration. Petitioner requests a 12 month continuance.

RECOMMENDATION

Need notice. If approved, court to continue matter until 11/09/09.

(cbr)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/03/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0600239

CASE NAME: EST OF JOHN C TOTH

HEARING:  
Accounting Review

COUNSEL:  
STEPHEN L TOTH (PET)...GUAY P WILSON  
JOHN C TOTH (DEC)...

GENERAL INFORMATION:

Continued from 5/5/08 at request of counsel as a sale is pending. Nothing new filed.

Continued from 6/9/08 as sale was lost due to vandalism to the property.

**Continued from 9/15/08 at request of counsel as property is still on the market.**

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Letters of administration issued 3/12/07, \$235,000 bond.
2. Note to Court: Code enforcement violation issued on 09/15/08 re: dangerous building. Does Court wish to inquire? Judge to decide
3. No accounting or status report of administration filed.

RECOMMENDATION:

Inquire status. When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. §11050 et seq.

Clerk to notice bonding company.

(kra/cbr)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/03/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0600287

CASE NAME: ROBERT F CARTWRIGHT

**SEE ALSO 4 & 4A**

HEARING:  
Petition for FOR AN ACCOUNT

COUNSEL:  
ANDREA L CARTWRIGHT (PET)...THERESA REAGAN-BLOOD  
ROBERT F CARTWRIGHT (DEC)...  
LINDA ATTIYEH (PET)...HICKS MIMS KAPLAN & BURNS

GENERAL INFORMATION:  
Letters testamentary issued 3/5/07

THIS CASE IS SET FOR HEARING ON

- Petition to account by Linda Attiyeh (Pr.C.§10950)
- Petition to account by Edward Stokes (Pr.C.§10950)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioners are creditors of the estate. Petitioners allege the claims filed on 7/2/07 and 8/6/07 have neither been accepted nor rejected.
2. Petitioners request the Court require an accounting. On a petition by an interested party, the Court may order an account at any time (Pr.C.§10950).
3. Petitioner Edward Stokes also objects to the personal representative's request for discharge as submitted.

RECOMMENDATION:  
Court's discretion  
(kra)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/03/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0600287

CASE NAME: ROBERT F CARTWRIGHT

**SEE ALSO 3 & 4A**

HEARING:

Probate status report filed.

COUNSEL:

ANDREA L CARTWRIGHT (PET)...THERESA REAGAN-BLOOD

ROBERT F CARTWRIGHT (DEC)...

LINDA ATTIYEH (PET)...HICKS MIMS KAPLAN & BURNS

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Probate Status Report.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner has filed a Status report indicating that no assets remain in the estate and seeks to terminate the administration proceedings. Question how the estate can be closed when there is a pending litigation in San Diego County. Need verified supplement.
2. Petitioner also appears to be asking that all creditors' claims be discharged.
3. Ex Parte petition/order for final discharge submitted. **Objections filed by Edward Stokes within the Petition to Account (see prior page).**

RECOMMENDATION

Need to clear note 1.

(cbr/kra)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/03/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0600287

CASE NAME: ROBERT F CARTWRIGHT

**SEE ALSO 3 & 4**

HEARING:  
Petition for AN ACCOUNT

COUNSEL:  
ANDREA L CARTWRIGHT (PET)...THERESA REAGAN-BLOOD  
ROBERT F CARTWRIGHT (DEC)...  
LINDA ATTIYEH (PET)...HICKS MIMS KAPLAN & BURNS

See notes on prior page (matter #3).

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/03/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0700215

CASE NAME: MTR OF RONALD HOMER FITE

HEARING:  
Accounting Review

COUNSEL:

DONALD J ODENBACH	(PET)...PRO/PER
CURT VANHOESEN	(PET)...PRO/PER
RONALD HOMER FITE	(DEC)...

GENERAL INFORMATION:

Letters Testamentary issued 6/20/07 (full authority, no bond)

**Continued from 8/25/08 at request of petitioner. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON Accounting Review/Status Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting or status report is filed.

RECOMMENDATION:

Find out status.

(gls/kra)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/03/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0700577

CASE NAME: EST OF SHIRLEY I DILLON

HEARING:

Petition for TO DETERMINE WHOM CERTAIN REAL PROPERTY AND NOTE  
AND DEED OF TRUST SECURED BY REAL ETC

COUNSEL:

CHRISTIAN L VAUGHAN (PET)...HART MIERAS & MORRIS INC  
SHIRLEY I DILLON (DEC)...  
PAIGE B VAUGHAN (PET)...OSCAR C PARRA  
CALEB BYRON VAUGHAN (OBJ)...OSCAR C PARRA  
MADISON R RENNER (OSCAR C PARRA )...OSCAR C P

GENERAL INFORMATION:

**Continued from 9/22/08 at request of counsel.**

THIS CASE IS SET FOR HEARING ON

Petition to determine real property, note and deed of trust (Pr.C.§17200)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The trust instrument contains a no contest clause. This Court previously granted a Safe Harbor Petition allowing petitioner to file this petition without threat of violation of the no contest clause.
2. Decedent husband and wife created a living trust in 1995 while they owned two pieces of real property in Big Bear, CA (the "Elmwood" property and the "Garstin" property). In the trust instrument, the couple left both of the properties equally to their two sons. A residuary clause left the remainder of the estate to others. In 2001, the "Elmwood" property was sold and a note and deed of trust were taken back by the trust. An amendment to the trust was executed in 2002 that amended the residuary clause bequests but not the two main bequests of the real properties to the sons. Later in 2002 (after the amendment to the trust), the trust purchased a third real property (the "Bluebird" property). Then in 2005, the Garstin property was sold and some of the proceeds were used to pay off

the remaining balance of the loan on the Bluebird property. Both trustors died in 2006.

3. Petitioner is the successor trustee of the trust and one of the sons/beneficiaries who is to receive half of the Elmwood and Garstin properties pursuant to the trust instruments.
4. In this petition, the successor trustee/beneficiary seeks a determination re distribution as to who should receive the Bluebird property and the note and deed of trust taken back upon the sale of the Elmwood property. Petitioner alleges that the bequest of the Elmwood and Garstin properties were general bequests that did not adeem upon the sale of the properties and therefore that the Bluebird property (paid off by the sale of the Garstin property) and the note on the Elmwood property should be distributed to petitioner and his brother in place of the bequests of the real properties as set forth in the trust instrument. Petitioner alleges that the trustors generally intended for all of their real property to be distributed to petitioner and his brother. At issue is whether the real property and note should be distributed to the two sons or whether the bequests fail because the properties were sold and therefore the assets should be distributed to other relatives pursuant to the residuary clause in the trust instruments.
5. In supplemental filings addressing prior requests for P&As and additional information, petitioner argues that the bequest of the two properties was general and therefore did not adeem (even though there was a residuary clause in the trust which is strong evidence that the bequests were specific) by citing authorities establishing that a residuary clause does not force an ademption, that Pr.C. 21102 states that the intention of the transferor as expressed in the document shall control the distribution, and that property may be sold and replaced with new property without risking ademption. As to the Elmwood note, petitioner cites Pr.C. 21133 for the premise that a beneficiary is entitled to the balance of proceeds from the sale of a bequeathed property (including a note) when the item is sold prior to the transferor's death. As to the Bluebird property, petitioner argues that there is a strong presumption that a bequest is intended to be general and not specific, that the proceeds from the sale of the bequeathed (Garstin) property are easily traceable to the proceeds of the sale of the Bluebird property, that it makes sense that the trust instruments intended to give all real property interests to the sons, and that minimally there is extrinsic evidence that could be provided (witnesses) to prove that trustors intended for the sons to receive all real property.
6. The issue as to the Elmwood note is easier because of the scheme of Pr.C. 21133 providing that a beneficiary of a specific bequest shall be entitled to a note created in the sale of a specifically bequeathed asset. On the other hand, the son beneficiaries' entitlement to the Bluebird property is a closer issue because of the tracing uncertainty (there is no evidence establishing the amount of proceeds from the sale of the Garstin property and the payoff of the Bluebird property). Also, petitioner seems to argue that the bequest of the Elmwood property was specific (so that Pr.C. 21133 would apply) while the bequest of the Garstin property was general (so that the bequest does not adeem

automatically) yet the bequest of both properties was made together. Moreover, the fact that the bequeathed Garstin property was sold seems to be evidence of intent by the trustors to extinguish the bequest of that property (pursuant to Estate of Austin (1980) 113 Cal.App.3d 167 relied upon by petition) while there is virtually no evidence presented by petitioner to the contrary other than a general claim that extrinsic evidence could be provided. The court may wish to hear that evidence.

7. No opposition filed as of date of review.

**RECOMMENDATION:**

Court's discretion. If approved, no future dates need be set.

kra/cbr/abs

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/03/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0700595

CASE NAME: ROBERTO AMEZOLA JR

**SEE ALSO 8 & 9**

HEARING:  
Hearing re: Inventory and appraisal

COUNSEL:  
SANDRA L ZUBIA (PET)...SANDRA B DE MEO  
ROBERTO AMEZOLA JR (DEC)...

See notes on following page (matter #8)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/03/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0700595

CASE NAME: ROBERTO AMEZOLA JR

**SEE ALSO 7 & 9**

HEARING:

OSC re: Status of issuance of Letters of Administration

COUNSEL:

SANDRA L ZUBIA (PET)...SANDRA B DE MEO  
ROBERTO AMEZOLA JR (DEC)...

GENERAL INFORMATION:

Continued from **5/8/08**. Counsel states that real property was lost to foreclosure and petitioner will be filing a petition of no asset estate. Petition to close a no asset estate filed. Continued from **06/26/08**. Matter trailed to be heard with Petition to Terminate.

**Continued from 7/21/08 and 9/15/08 at request of counsel. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON OSC re status of issuance of Letters of Administration

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner was appointed Administrator of the estate on 10/9/07 with requirement of \$20,000 bond. Bond has posted, however, Letters of Administration has not issued (only Letters of *Special* Administration have issued). There are no proposed Letters of Administration in the file to issue. Need same.
2. On 1/24/08, petitioner's ex parte application for order authorizing refinancing real property was approved. It appears that the real property was lost to foreclosure on or about 2/19/08. Court may wish to inquire whether petitioner received any funds from the refinance prior to losing the property to foreclosure for which an accounting would be required.

RECOMMENDATION:

Court's discretion.

(gls/vet/cbr/kra)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/03/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0700595

CASE NAME: ROBERTO AMEZOLA JR

**SEE ALSO 7 & 8**

HEARING:

Petition for TERMINATE NO ASSET ESTATE UNDER PROBATE CO SEC 12251

COUNSEL:

SANDRA L ZUBIA (PET)...SANDRA B DE MEO  
ROBERTO AMEZOLA JR (DEC)...

GENERAL INFORMATION:

Continued from 7/21/08 for counsel to file declaration re why petition is unverified.

**Continued from 9/15/08 at request of counsel. Nothing new filed.**

THIS CASE SET FOR HEARING ON Petition to Terminate No Asset Estate under Pr.C.§12251.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner indicates that the only asset of the estate was real property that was lost to foreclosure and sold at a Trustee's Sale on 02/14/08. Wherefore, petitioner alleges that there are no assets of the decedent's estate subject to administration and requests the administration be terminated.
2. Petitioner's attorney has agreed to waive her right to statutory compensation provided that the Administrator stipulates to be bound by court order to reimburse attorney Sandra DeMeo for costs of \$1,688.50 advanced in this proceeding. Does Court wish to inquire how petitioner is to pay for costs advanced if the estate is insolvent? Judge to decide
3. Petition is not verified by petitioner. Need petitioner's verification. **Supp: Counsel alleges that at last hearing Judge suggested she file due diligence declaration. Counsel has not had contact with petitioner. Such declaration is filed. Judge to decide**
4. **Declaration by counsel indicates that with the last contact with petitioner, counsel agreed to waive fees in exchange for a promise by petitioner to**

**reimburse counsel for court costs which have been advanced. The petition for termination of administration was prepared and mailed and emailed several times without any response from the petitioner. If a petitioner is for some cause unable to sign or verify a petition filed, the person's attorney may sign or verify the petition unless the person is a fiduciary appointed in the proceeding (Pr.C.§1023). As the petitioner here is the appointed Special Administrator, the petition for termination must be verified by Sandra Zubia;**

**RECOMMENDATION**

Court's discretion. If approved, Court may wish to vacate future hearing dates.  
(cbr/kra/cbr)

**FUTURE HEARING DATES:**

12/04/08 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/03/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0700603

CASE NAME: MTR OF LILLIE RUTH LEE

HEARING:  
Accounting Review

	COUNSEL:
JOYCE SMITH	(PET)...SPRINGER & POLLOCK
LILIE RUTH LEE	(DEC)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Letters issued 2/4/08, \$20,000 bond.
2. No accounting or status report of administration filed.

#### RECOMMENDATION:

Inquire status. When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. §11050 et seq.

Clerk to notice bonding company.

(kra)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/03/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0700693

CASE NAME: JUAN JOSE GUTIERREZ

HEARING:  
Accounting Review

COUNSEL:  
RAMIRO SANDOVAL (PET)...M. ALEX YNEGES  
JUAN JOSE GUTIERREZ (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Letters issued 8/27/07, no bond.
2. No accounting or status report of administration filed.

RECOMMENDATION:

Inquire status. When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. §11050 et seq.  
(kra)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/03/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0701193

CASE NAME: LEONARD DEAN MOORE

HEARING:

Hearing re: Petition for Letters of Testamentary With Full Authority Under IAEA..

COUNSEL:

DELORIS WRIGHT (PET)...JOHN  
LEONARD DEAN MOORE (DEC)...  
CARL H DAVIS (CON)...WHITNEY DAVIS HOUSTON

GENERAL INFORMATION:

Continued from **2/11/08** for objection and competing petition to be filed by Carl Davis.

Continued from **4/21/08** competing petition filed this date.

Continued from **6/2/08** at request of counsel for Carl Davis. Court also continues will contest at request of Attorney Ronge who waives proof of service as to will contest.

**Continued from 7/28/08 at request of counsel and approved by opposing counsel.**

**Continued from 9/8/08 at request of counsel as parties request the trial dates vacated and will have the Will examined. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON

#1 Petition for Letters Testamentary with full authority under IAEA, by Deloris Wright

#2 Petition for Letters of Administration with full authority under IAEA, by Carl Davis

#3 Will contest by Carl Davis

THE FOLLOWING ISSUES AND /OR DEFICIENCIES IN THE PAPERS ARE NOTED:

**#1 petition by Wright:**

- 1 Notice of Petition to Administer Estate and proof of service filed. However, need proof of service on Carl Davis as listed in Attachment 9 of petition.
- 2 Will waives bond and petitioner is a CA resident.

**#2 petition by Davis:**

- 3 Need proof of publication.

- 4 Petitioner alleges decedent died intestate and requests no bond as petitioner is the sole heir and waives bond. However, section 9 of the petition lists an aunt and 2 persons described as strangers. Question if the aunt is an heir and why a waiver of bond should not be required. Need verified supplement. Alternatively, court may set bond of \$625,000 based on estate value.
- 5 **Opposition to will contest filed by Deloris Wright.**

**#3 Will Contest by Davis:**

- 6 Attorney Ronge waives proof of service as to will contest on 6/2/08.
- 7 Contestant alleges a related case in the estate of Mary D. McHenry BP100267 filed in Los Angeles County.
- 8 Contestant requests that probate of the purported will be denied on the grounds that the purported will is a forgery.

**RECOMMENDATIONS:**

As Petitioner Davis requests letters of administration on the grounds that the will is invalid, Court will need to determine the validity of the will before deciding this present matter. Contested hearing is set; court may wish to trail the petition for appointment with the contested hearing.

(vet/KRA/NMT/kra)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/03/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0800067

CASE NAME: MTR OF JACK RICHARD EDWARDS

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

BRETT EDWARDS (PET)...JACK B OSBORN  
JACK RICHARD EDWARDS (DEC)...

GENERAL INFORMATION:

**Continued from 9/15/08 at request of counsel as the only assets will be proceeds from an ongoing litigation.**

THIS CASE IS SET FOR HEARING ON inventory & appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Letters issued 3/3/08, no bond.
2. No inventory filed. Need final I&A.

RECOMMENDATION:

Inquire status as to the litigation. Court may wish to continue this matter to the accounting review date of 5/11/09.

When an inventory and appraisal is not filed as ordered, court may set a hearing in accord with Pr.C. §8804 and/or 8505.

(kra).

FUTURE HEARING DATES:

5/11/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/03/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0800211

CASE NAME: JUNE LOUISE CHAPMAN

HEARING:  
FIRST AND FINAL Account and Report of JULIE THOMS and Petition for fees

COUNSEL:  
JULIE THOMS (PET)...DENNIS M SANDOVAL  
JUNE LOUISE CHAPMAN (DEC)...

GENERAL INFORMATION  
Letters issued 5/7/08.

THIS CASE IS SET FOR HEARING ON Waiver of Account and Petition for Fees and  
Final Distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. All residuary beneficiaries waive an accounting and request distribution directly to the beneficiaries of the June Chapman Family Trust. Copy of trust submitted.
2. Statutory fees are \$7,472.15. Petitioner waives compensation.

RECOMMENDATION:  
If approved, court to set hearing re filing receipts and final discharge for **11/9/09**.  
(kra/cbr)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/03/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0800257

CASE NAME: AUDREY NELL MC CLELLAN

HEARING:

FIRST AND FINAL Account and Report of JOHN P MC CLELLAN JR and  
Petition for fees

COUNSEL:

JOHN P MC CLELLAN JR (PET)...RONALD G. SKIPPER  
AUDREY NELL MC CLELLAN (DEC)...

GENERAL INFORMATION

Letters issued 4/28/08.

THIS CASE IS SET FOR HEARING ON 1st & final account and petition for fees and final  
distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner requests to withhold \$2,500 for closing expenses.
2. Graduated filing fee schedule filed showing a corrected filing fee of \$100 is due.  
However, no further filing fee is due. A refund has not been requested. Any  
request for refund must be in writing and must attach a proposed order
3. Statutory fees are \$13,031.52. ok

RECOMMENDATION:

If approved, court to set hearing re filing receipts and final discharge for **11/9/09**.  
(kra)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/03/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0800423

CASE NAME: JOHN FRANCIS TEXEIRA AND MARGARET MARY TEXEIRA TRU

HEARING:

FIRST Account and Report of STEVEN TEXEIRA and Petition for fees

COUNSEL:

LORRAINE BRUCKNER-HENRY (PET)...DENNIS M SANDOVAL  
JOHN FRANCIS TEXEIRA AND MARTG(DEC)...  
STEVEN TEXEIRA (PET)...HARTNELL, LISTER & MOORE  
STEVEN TEXEIRA (OBJ)...HARTNELL, LISTER & MOORE

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 1<sup>st</sup> account current and report of successor trustee

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Accounting period covers 9/22/03 – 6/10/08.
2. Assets on hand \$335,014.46 in cash. Assets are being held in a single checking account; However, petitioner alleges that the funds on deposit are FDIC insured for up to \$100,000 for each POD beneficiary. The WaMu Bank report attached indicates the account currently has 15 POD beneficiaries.
3. On 8/13/08 matter came on for Petition to determine trust's interest in property, to determine bad faith in disposition of the property, for an accounting of trust funds, for removal of trustee, for surcharge, for damages, and for elder abuse. The matter was continued to 9/15/08 but taken off calendar as this accounting was filed. **Objections to the Petition Determining Interest, etc. filed by Steven Texeira, petitioner herein.**

RECOMMENDATION:

Court's discretion.

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR  
HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/03/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0800715

CASE NAME: MTR OF SALLY C DOMINGUEZ

HEARING:  
Spousal Property Petition hearing.

COUNSEL:  
ROSEMARY C DOMINGUEZ (PET)...HARTNELL LISTER & MOORE  
SALLY C DOMINGUEZ (DEC)...

GENERAL INFORMATION:  
**Continued from 9/15/08 at request of counsel.**

THIS CASE IS SET FOR HEARING ON Spousal property petition

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Decedent died 2/11/89 and is survived by a spouse and 6 children.
2. Petitioner requests determination of decedent's property passing to the surviving spouse without administration and confirmation of property belonging to the surviving spouse. Petitioner alleges that she and decedent were married in 1942 and that only personal effects were brought into the marriage. Petitioner alleges that all of their assets were either acquired during the marriage, but that the real property located in Loma Linda is titled in petitioner's and decedent's names as tenants-in-common was a decision made by the person who handled the transaction. Petitioner concludes the property is community property but does not set forth the basis for this conclusion, other than the property was acquired during the marriage. Petitioner does not set forth when the property was acquired or provides a copy of the deeds. For all property acquired on or after 1-1-85 a transmutation of real or personal property is not valid unless made in writing by an express declaration that is made, joined in, consented to, or accepted by the spouse whose interest in the property is adversely affected. (Fam. C. § 852.). Need verified supplement.
3. Petitioner also requests the immediate appointment of a probate referee.

RECOMMENDATION:  
Need to clear note 2.  
(kra)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/03/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0800739

CASE NAME: CONNIE GARCIA

HEARING:

Hearing re: Petition for Letters of Testamentary With Full Authority Under IAEA..

COUNSEL:

NORMA LINDA GARCIA (PET)...PRO/PER  
CONNIE GARCIA (DEC)...

GENERAL INFORMATION:

**Continued from 9/15/08 at request of objector to file written objections. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON Petition for Letters Testamentary with full authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Need proof of publication.
2. Need notice of Petition to Administer Estate and proof of service
3. Will waives bond.
4. The pour-over will conditionally incorporates the terms of decedent's trust.  
Need verified supplement providing copy of trust as part of the document to be probated.

RECOMMENDATION:

RFA subject to notes 1 & 2, no bond. If approved, set future hearings for filing of Inventory & Appraisal on **6/15/09** and for Accounting Review on **1/11/10**. Any accounting to be filed 30 days in advance. Note requirements of local rule 20-908.

(kra)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/03/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0800817

CASE NAME: JAMES M WALDER

HEARING:

Hearing re: Petition for Letters of Testamentary With Full Authority Under IAEA..

COUNSEL:

JAMES H WALDER (PET)...D. HERSHEL W ILSON  
JAMES M WALDER (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Letters Testamentary with full authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Notice of Petition to Administer Estate and proof of service filed. However, section 4 of the proof of service as to when service was completed is incomplete. Need a proper proof of service.
2. Will waives bond. However, petitioner is a Colorado resident and requests minimum bond of \$20,000.

RECOMMENDATION:

RFA subject to note 1, \$20,000 bond. If approved, set future hearings for filing of Inventory & Appraisal on **6/15/09** and for Accounting Review on **1/11/09**. Any accounting to be filed 30 days in advance. Note requirements of local rule 20-908.  
(kra/cbr)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/03/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0800841

CASE NAME: LESIA ME-SHEL JACKSON

HEARING:

Hearing Re: PETITION BY AGENT UNDER POWER OF ATTORNEY

COUNSEL:

PAMELA S BRUCE (PET)...HORSPOOL & PARKER  
LESIA ME-SHEL JACKSON (RPI)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON

Petition to create SNT per power of attorney.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is the attorney-in-fact for principal/beneficiary who is to receive a \$58,000 settlement in a civil action. The Power of Attorney specifically grants authority to petition for the creation of a special needs trust (SNT). See p. 6 of Durable Power of Attorney at Exhibit B to petition (tabbed). Petitioner seeks to create a SNT to maintain the beneficiary's eligibility for benefits including Medi-Cal.
2. There is some uncertainty in the law regarding whether the requirements of CRC Rule 7.903 apply to SNTs created via a power of attorney. (See CEB, Special Needs Trusts, supra, Vol. 1, section 11.48, p. 551.) It is the policy of this court to apply the CRC Rule 7.903 requirements unless the principal/beneficiary signs a waiver of those requirements (on the basis that, unlike conserved SNT beneficiaries, a "power of attorney" beneficiary usually has the mental capacity to form a valid waiver and does not need the inherent protections of CRC Rule 7.903). Issues:
  - a. Petitioner alleges that the principal/beneficiary is 37, is disabled and suffered a stroke several months ago that left her partially paralyzed, is a resident of Reche Canyon rehabilitation Center because of the rehabilitation and the need for a ventilator, that the principal/beneficiary suffers seizure that require

medication, that the principal/beneficiary is unable to speak but can communicate with yes or no questions. Petitioner concludes that the principal/beneficiary has mental capacity to enter into agreements, consent to financial transactions, and give informed consent to medical treatments. To honor the power of attorney that is the basis for this petition, the court will need to satisfy itself that the principal/beneficiary is mentally competent to have granted the power of attorney and review/maintain her finances on an ongoing basis. JTD.

- b. Unless there is a valid waiver of the CRC Rule 7.903 requirements by the principal/beneficiary, a further examination will need to be made regarding whether all requirements of Rule 7.903 have been met by this petition and the proposed SNT instrument.
  - c. Petitioner requests a specific order "That California Rules of Court [Rule] 7.903 requirements do not apply to a trust established by the court under Probate Code § 4541." This is an overstatement and it is suggested that this portion of the petition be denied. Court to ensure that the resulting order does not contain that language.
3. The proposed SNT instrument (Exhibit A) contains estate planning to the extent it makes specific distributions of remaining trust assets to the principal/beneficiary's intestate heirs (Section 4.8, p. 6). Normally this is problematic in a SNT because the conserved beneficiary does not have capacity to do so. Under "power of attorney" SNTs, however, the beneficiary is presumed to have such capacity. Here, the court will need to be satisfied re the beneficiary's capacity to form estate planning documents.
4. The requirements of Pr.C. 3604 apply even to a "power of attorney" SNT. Concerns (need verified supplement):
  - a. Per Pr.C. 3604(b)(1), a SNT may only be created if the court finds that the SNT beneficiary has a disability that substantially impairs the individual's ability to provide for his/her own care or custody and constitutes a substantial handicap. Insufficient information is provided in the petition to allow the court to make this finding.
  - b. Per Pr.C. 3604(b)(2), a SNT may only be created if the court finds that the beneficiary is likely to have special needs that will not be met without the trust. No information is provided in the petition to allow the court to make this finding.
  - c. Per Pr.C. 3604(b)(3), a SNT may only be created if the court finds that the money to be paid into the trust does not exceed an amount that is reasonably necessary to meet the special needs of the beneficiary. There is no information provided re the nature and costs of the special needs, the life expectancy of the beneficiary, a resulting calculation of the cost of the needs over the expected life of the beneficiary such that an anticipated total cost of the special needs could be found, etc., to allow the court to make the required Pr.C. 2604(b)(3) finding.
5. Section 2.3 of the proposed SNT (at p. 2) allows the trustee to add assets to the trust at any time without court approval. This section runs afoul of Pr.C. 3604(b)(3) which limits funding of a SNT to the amount that is reasonably

necessary to meet the beneficiary's special needs (see note above). A typical trust provision addressing this issue will require court approval for additions of assets to a SNT. Need amended proposed SNT instrument or P&As supporting the use of the existing provision.

6. Section 5.10 of the proposed SNT (at p. 9) limits the trustee's liability only to acts of willful misconduct or gross negligence. On what basis is this limitation made? Verified supplement is invited. Otherwise, this section appears suspect. Does court wish to allow? JTD.

#### RECOMMENDATION

Need to clear notes.

abs\*

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/03/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0800871

CASE NAME: DONALD THOMAS CALTON

HEARING:

Hearing re: Petition for Letters of Testamentary With Full Authority Under IAEA..

COUNSEL:

WELLS FARGO BANK NA (PET)...HAROLD G AYER  
DONALD THOMAS CALTON (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Letters Testamentary with full authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Proof of service of notice of Petition to Administer Estate filed; however, need notice to Jason R. May and Ramona S Avlos.
2. Section 8 is incomplete as the will also names Jason R. May and Ramona S Avlos. Need verified supplement to complete section 8.
3. The will is not self-proving per Pr.C. 8220 (witnesses did not sign under penalty of perjury). Need proof of subscribing witness. Alternatively, the will is executed in the State of Idaho, petitioner may show that the will's execution complies with the law at the time of execution of the place where the will is executed per Pr.C.§6113.
4. Will waives bond.

RECOMMENDATION:

Need to clear notes. If approved, set future hearings for filing of Inventory & Appraisal on **6/15/09** and for Accounting Review on **1/11/09**. Any accounting to be filed 30 days in advance. Note requirements of local rule 20-908.  
(kra/cbr)

Superior Court of Calif, County of San Bernardino

Page: 22

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/03/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0800881

CASE NAME: HECTOR J PLANAS

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

MARIA LORENA PLANAS (PET)...BERNARD NACIONALES  
HECTOR J PLANAS (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner requests bond of \$10,000 and no attachment 2 is affixed to the petition. Need verified supplement specifying reasons as the amount requested is different from the maximum required by Pr.C.§8482. **Supp: petitioner alleges that the total value of the estate is approximately \$49,000. The beneficiaries are the decedent's two sisters and his surviving spouse (petitioner), which the surviving spouse is entitled to half and the two sisters are entitled to a quarter of the estate. Petitioner indicates the amount for a higher bond does not justify the amount of the estate she is to receive. However, minimum bond is \$20,000. Court may wish to set bond at \$49,000. Judge to decide**

RECOMMENDATION:

Court's discretion re bond. If approved, set future hearings for filing of Inventory & Appraisal on **6/15/09** and for Accounting Review on **1/11/09**. Any accounting to be filed 30 days in advance. Note requirements of local rule 20-908.

(kra/cbr)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/03/08 TIME: 9:00 DEPT: E1  
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CASE #: SPRSS06053

CASE NAME: ESTATE OF NELDA OLSEN DANISHEK

HEARING:

SECOND & FINAL Account and Report of BETTY ANDERSON and Petition for fees

COUNSEL:

BETTY ANDERSON (PET)...FULLERTON LEMANN SCHAEFFER & D  
NELDA OLSEN DANISHEK (DEC)...  
DEPARTMENT OF HEALTH SERVICES (TP )...PRO/PER

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 2<sup>nd</sup> & final account and petition for fees and final distribution

#### THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner and attorney request statutory fees of \$4,886.08 less \$3,745.57 preliminary payment authorized by the Court on 7/23/07 for a total of \$1,410.51 requested.
2. Attorney requests extraordinary fees of \$5,598.75. Billing is based on a rate for attorneys at \$160-\$285/hour and paralegals at \$75-\$85/hour. As the estate only contained personal property, the court will generally not consider awarding extra-ordinary fees until the executor and/or counsel establish that all ordinary fees have actually been earned. (In re Walker's Estate (1963) 221 Cal. App. 2d 792). File verified supplement. **Supp: Counsel indicates that the firm has expended 65 hours of time on the estate. The amount of services provided exceeds the statutory fees of \$4,886.08 by \$7,261.17, totaling \$12,147.25. Therefore, statutory fees have been earned.**
3. Petitioner requests to withhold \$1,500 for closing expenses.

#### RECOMMENDATION:

If approved, court to set hearing re filing receipts and final discharge for **11/9/09**.  
(kra/cbr)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/03/08 TIME: 9:00 DEPT: E1  
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CASE #: SPRSS06671

CASE NAME: EST OF BENETTA B REEVES CRAWFORD

**SEE ALSO 25 & 25A**

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

BENJAMIN REEVES (PET)...JACK B OSBORN  
BENETTA B REEVES CRAWFORD (DEC)...  
RILEY CRAWFORD (PET)...JUDITH L HUBERT

GENERAL INFORMATION:

Continued from **11/19/07** and **1/14/08** for I&A to be filed by prior administrator Riley Crawford. Accounting to be filed by successor administrator once the I&A is filed. A citation was issued to Riley Crawford.

Continued from **3/17/08**. Attorney Hubert states there is no money in the estate, but will contact client regarding jewelry and bills. OSC re sanctions dismissed.

Continued from **5/5/08** at request of counsel.

On **6/16/08** Court **suspended and removed the prior administrator, Riley Crawford, and appointed Benjamin Reeves Successor Administrator**. Court orders Riley Crawford to file an inventory as originally ordered when the petition for appointment was granted. Court also orders Riley Crawford to file a final accounting.

**Continued from 8/4/08 and 9/15/08 at request of counsel. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON

- Inventory & appraisal
- Accounting review by the prior administrator Riley Crawford for court ordered final accounting
- Accounting review by Benjamin Reeves for the period covering the special administration

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

**Re: Inventory & appraisal (Riley Crawford):**

1. On 9/17/07 hearing re I&A taken off-calendar as final I&A was filed that date by the prior administrator Riley Crawford. Matter placed back on calendar as the following issues are raised:
  - a. Attachment 1, items 1-7, are appraised by the personal representative supported by copies of independent appraisals with dates of 1/4/85, 2/28/02, and an insurance policy dated 4/26/02. Decedent died 8/30/05. The appraisal values should reflect the value of the estate as of date of death. Also, as these are assets other than cash, these items must be appraised by the probate referee Pr.C. §8902.
  - b. Among the supporting documents is a copy of an appraisal dated 3/22/02 wherein two items are listed. These items do not appear to be listed on the Inventory Attachment 1 or 2. Final inventory should list all assets of the estate.
  - c. Attachment 1, Item 8 lists a vehicle with an unknown value. This asset must be appraised by the probate referee Pr.C. §8902.
  - d. Need a Corrected Final Inventory & Appraisal.

**Re Accounting (prior administrator, Riley Crawford):**

2. Continued from 6/16/06 as court orders a final accounting to be filed by the prior administrator Riley Crawford.
3. No accounting filed.

**Re Accounting (Special administration of Benjamin Reeves):**

4. On 1/14/07 the court ordered Benjamin Reeves to file an accounting once the I&A is filed. As Benjamin Reeves was appointed Special Administrator it appears the accounting due would be for the period in which he served as special administrator. However, the court is not requiring this accounting until the I&A is filed which would appear to be irrelevant to the accounting of special administration, as Benjamin Reeves should be aware of the assets that were in his possession. Does court wish to require Benjamin Reeves to file an accounting regardless whether the I&A is filed? JTD
5. No accounting filed.
6. On 6/16/08 Court appointed Benjamin Reeves Successor Administrator with Limited powers. The order appointing Successor Administrator does not address the issue of bond as to the successor administrator. Does the Court wish to order bond posted by the successor administrator? JTD

**RECOMMENDATION:**

Need a corrected final I&A and accountings. Court's determination re note 6. When an inventory and appraisal is not filed as ordered, court may set a hearing in accord with Pr.C. §8505.

(kra).

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/03/08 TIME: 9:00 DEPT: E1  
-----

CASE #: SPRSS06671

CASE NAME: EST OF BENETTA B REEVES CRAWFORD

**SEE ALSO 24 & 25A**

HEARING:  
Accounting Review

COUNSEL:  
BENJAMIN REEVES (PET)...JACK B OSBORN  
BENETTA B REEVES CRAWFORD (DEC)...  
RILEY CRAWFORD (PET)...JUDITH L HUBERT

See notes on prior page (matter #24).

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/03/08 TIME: 9:00 DEPT: E1  
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CASE #: SPRSS06671

CASE NAME: EST OF BENETTA B REEVES CRAWFORD

**SEE ALSO 24 & 25**

HEARING:  
Accounting Review

COUNSEL:  
BENJAMIN REEVES (PET)...JACK B OSBORN  
BENETTA B REEVES CRAWFORD (DEC)...  
RILEY CRAWFORD (PET)...JUDITH L HUBERT

See notes on prior page (matter #24).

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/03/08 TIME: 9:00 DEPT: E1  
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CASE #: SPRSS06993

CASE NAME: ESTATE OF EVELYN FIFER

**SEE ALSO 27**

HEARING:

Petition for TO DETERMINE HEIRSHIP AND ENTITLEMENT TO ESTATE

COUNSEL:

LATASHA MEDLOCK-JONES (PET)...SANDRA J. SMITH  
EVELYN FIFER (DEC)...  
JEANETTE STEVENS (PET)...BRYAN C. HARTNELL  
BRYAN C HARTNELL (TP )...HARTNELL, LISTER & MOORE  
TIMOTHY METLOCK (AMY L LOPEZ )...AMY L LOP

GENERAL INFORMATION:

Continued from **5/22/08** at request of counsel to file response to objections.

Continued from **8/7/08** at request of counsel. Nothing new filed.

**Continued from 9/22/08 at request of counsel.**

THIS CASE IS SET FOR HEARING ON Petition to Determine Heirship and Entitlement to the Estate

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is Jeanette Stevens, first cousin twice removed. Petitioner alleges that decedent died without leaving any surviving spouse, issue, parent, brother or sister. Decedent's heirs-at-law are four first cousins, either once or twice removed and proportional shares indicated (documentary proofs are attached). Petitioner requests that the court determine heirship and entitlement to the estate. The following are concerns:
  - (a) Decedent's father, Johnie Gibbs, predeceased. There is no family tree for the paternal side. Question if there are paternal heirs? File verified supplement.

2. Decedent's sister, Marjorie Medlock, shows as predeceasing leaving a surviving husband, Oliver Medlock. Is Oliver Medlock surviving? If so, need notice to Oliver Medlock.
3. **Objections filed by Timothy Medlock, equitable adopted son of decedent.**
4. **Response to objections filed.**

RECOMMENDATION:

Need to clear notes and set for contested hearing.

(gls/kra)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/03/08 TIME: 9:00 DEPT: E1  
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CASE #: SPRSS06993

CASE NAME: ESTATE OF EVELYN FIFER

**SEE ALSO 26**

HEARING:

FIRST Account and Report of LATASHA MEDLOCK-JONES and Petition for fees

COUNSEL:

LATASHA MEDLOCK-JONES (PET)...SANDRA J. SMITH  
EVELYN FIFER (DEC)...  
JEANETTE STEVENS (PET)...BRYAN C. HARTNELL  
BRYAN C HARTNELL (TP )...HARTNELL, LISTER & MOORE  
TIMOTHY METLOCK (AMY L LOPEZ )...AMY L LOP

GENERAL INFORMATION:

Continued from **12/3/07** Amended first report fax filed this date. Counsel states that property might be sold and a final accounting might be filed.

Continued from **2/25/08, 4/21/08** and **5/22/08** to determine heirs of the estate.

Continued from **8/7/08** at request of counsel. Nothing new filed.

**Continued from 9/22/08 at request of counsel.**

THIS CASE IS SET FOR HEARING ON **Amended** 1<sup>st</sup> account current and report of status of administration

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Hearing re I&A taken off-calendar 2/1/07 as the Final I&A was fax filed the day prior to the hearing. Court notes that a supplemental I&A is to be filed regarding a \$16,000 life insurance that was just discovered. No Supplemental I&A filed. Court may wish to inquire as to the life insurance proceeds. **Counsel has filed a reappraisal for sale that is not properly completed. The attorney signed the portion of the form that must be signed by her client Ms. Medlock-Jones. File properly signed reappraisal for sale.**
2. Need copies of bank/investment statements to verify date of death balance on the inventory & appraisal per local rule 20-908.

3. Proof of service filed. However, service is as to “supplement to the First Accounting”. As this is an Amended Accounting, need notice of hearing and proof of proper service.
4. Accounting period covers 1/30/07 – 9/30/07. The probate petition was granted 6/23/06. Question why this first accounting begins 7 months after the order granting appointment. Need verified supplement.
5. Need bank/investment statements verifying balance of cash on hand at the end of the account period per local rule 20-908.
6. Need detailed schedules showing receipts: the source of the receipts and date thereof per Pr.C.§1062(a). File verified supplement.
7. Disbursements show two payments for insurance in the amount of \$1,828.50 each. Question what the purpose of this insurance is as disbursements show additional payments for home owners insurance. Need verified supplement.
8. Petitioner does not state the reasons why the estate cannot be distributed, and estimate of time needed to close administration of the estate (Pr.C.§12201(a)).

**RECOMMENDATION:**

Need to clear notes re Inventory and Appraisal and accounting. Also need determination of heirship prior to approval of this petition.

(/KRA/NMT/kra/cbr/gls/kra)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/03/08 TIME: 9:00 DEPT: E1  
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CASE #: SPRSS07091

CASE NAME: ESTATE OF SEYMOUR SHAW

HEARING:  
Hearing Re: STATUS

COUNSEL:  
SEYMOUR ROTH (PET)...WALTER MOORE  
SEYMOUR SHAW (DEC)...  
JOHN KAZALUNAS (PET)...HARTNELL LISTER & MOORE  
STATE OF CALIF FRANCHISE TAX B(TP )...  
CRAIG EISNER (STEWART R ALBERTSON )...STEWART R

No calendar notes as this is on for Status Conference.

FUTURE HEARING DATES:  
1/09/09 Mandatory Settlement Conference  
2/19/09 Readiness Calendar  
2/23/09 Court Trial set for Petition for Probate of Seymour Roth  
6/24/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/03/08 TIME: 9:00 DEPT: E1  
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CASE #: VPRVS003083

CASE NAME: ESTATE OF JUAN C LOPEZ

**SEE ALSO 29A**

HEARING:  
FIRST AND FINAL Account and Report of MARY MCGUIRE and Petition for fees

	COUNSEL:
MARY MCGUIRE	(PET)...PRO/PER
JUAN C LOPEZ	(DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 1st & final account and petition for fees and final distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner proposes distribution of the inventoried assets to petitioner per assignments of interest.
2. Petitioner waives compensation.
3. Petitioner respectfully requests that the cot approve the preliminary distribution of the automobiles to her spouse and uncle. All heirs signed their interest to petitioner.

RECOMMENDATION:

If approved, court to set hearing re filing receipts and final discharge for **11/9/09**.  
(kra/cbr)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/03/08 TIME: 9:00 DEPT: E1  
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CASE #: VPRVS003083

CASE NAME: ESTATE OF JUAN C LOPEZ

**SEE ALSO 29**

HEARING:

Petition for termination of further proceedings and discharge of administrator

COUNSEL:

MARY MCGUIRE (PET)...PRO/PER  
JUAN C LOPEZ (DEC)...

GENERAL INFORMATION:

Continued from 5/7/08. Court ordered administrator to file an accounting.

Continued from **8/20/08**. No appearance. Clerk mailed notice.

**Continued from 10/1/08 as the personal representative state that one of the vehicles is being used by her spouse and the other was given to her uncle as a gift.**

**Administrator to file a verified statement. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON Petition for Termination of Further Proceedings due to no Property Subject to Administration

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner alleges that after her appointment she was unsuccessful in a small claims appeal to collect a judgment in favor of decedent. Petitioner alleges there is no other property subject to administration. However, petitioner has inventoried two vehicles which petitioner self-appraised with court approval at \$3,025.00. Question what happened to these vehicles? File verified supplement. **Petitioner respectfully requests that the cot approve the preliminary distribution of the automobiles to her spouse and uncle. All heirs signed their interest to petitioner.**
2. Four claims totaling \$16,850.50 have been filed and rejected. Time to file suit on the claims has expired.

RECOMMENDATION:

None.

(Abs/cbr/abs/kra/cbr)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

***PUBLIC GUARDIAN***

-----  
DATE: 11/03/08 TIME: 10:00 DEPT: E1  
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CASE #: BC BS00063

CASE NAME: MATTER OF DOROTHY MARIE PARKER

HEARING:  
Accounting Review

	COUNSEL:
PAULA L MAYER	(PET)...
DOROTHY MARIE PARKER	(CPE)...
PUBLIC GUARDIAN	(SC )...COUNTY COUNSEL
DEL ROSA VILLA INC	(TP )...TYLER & WILSON

GENERAL INFORMATION  
Conservatee died 05-10-08.

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

- 1 On 11-06-06 court approved the 1<sup>st</sup> account; 2<sup>nd</sup> and **final** accounting now due covering the period 08-10-06 to 05-10-08.
- 2 No accounting filed. Need **final** accounting.

RECOMMENDATION:  
Inquire status.  
(vet)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/03/08 TIME: 10:00 DEPT: E1  
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CASE #: CONPS0600025

CASE NAME: MTR OF SHAWN JOY

HEARING:

FIRST AND FINAL Account and Report of PUBLIC GUARDIAN and Petition for fees

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL  
SHAWN JOY (CEP)...HARTNELL LISTER & MOORE

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 1<sup>st</sup> & Final Account and petition for fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

- 1 Accounting period covers 11-17-06 to 03-04-08 (16 months).
- 2 Conservatorship established under W&I 5350 and terminated on 12-15-07.
- 3 Assets on hand \$1,322.00 consisting of cash.
- 4 Public Guardian and County Counsel request fees of \$661.00 each.
- 5 Proof of Service does not notice Debbie Myers, conservatee's mother. Need proper service.
- 6 Petitioner alleges that petitioner distributed \$1,323.69 to Social Security Administration representing the final distribution of conservatee's estate. File receipt.

RECOMMENDATION:

Need to clear notes. If approved court to set hearing re filing receipts and final discharge for **11-09-09**.

(vet)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/03/08 TIME: 10:00 DEPT: E1  
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CASE #: CONPS0700136

CASE NAME: MYRTLE SCOTT

HEARING:  
Accounting Review

	COUNSEL:
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
MYRTLE SCOTT	(CEP)...HARTNELL LISTER & MOORE

GENERAL INFORMATION  
Conservatee died 07-26-08.

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

- 1 On 08-01-08, the LPS conservatorship was terminated. Need **final** accounting to cover the accounting period covering the period 06-29-07 to 06-30-08.
- 2 No accounting filed. Need **final** accounting.

RECOMMENDATION:

Inquire status. When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.  
(vet)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/03/08 TIME: 10:00 DEPT: E1  
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CASE #: CONPS0700167

CASE NAME: MARCOS RAMIREZ

HEARING:

First and Final Account and Report of PUBLIC GUARDIAN and Petition for fees

COUNSEL:

PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
MARCOS RAMIREZ	(CEP)...HARTNELL LISTER & MOORE

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 1<sup>st</sup> & Final Account and petition for fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

- 1 Accounting period covers 07-27-07 to 06-23-08.
- 2 Conservatorship established under W&I 5350 and terminated on 04-18-08.
- 3 Assets on hand \$288.00 consisting of cash.
- 4 Public Guardian and County Counsel request fees of \$144.00 each.
- 5 Petitioner alleges that petitioner distributed \$289.15 to conservatee representing the final distribution of conservatee's estate. Need receipt of distribution

RECOMMENDATION:

If approved court to set hearing re filing receipts and final discharge for **11-09-09**.  
(vet)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/03/08 TIME: 10:00 DEPT: E1  
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CASE #: CONPS0800019

CASE NAME: SALIM RAHMAN

HEARING:  
Accounting Review

COUNSEL:  
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL  
SALIM RAHMAN (CEP)...HARTNELL LISTER & MOORE

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

- 1 On 07-25-08, the LPS conservatorship was terminated. Need **final** accounting to cover the accounting period 01-18-08 to 07-25-08.
- 2 No accounting filed. Need **final** accounting.

RECOMMENDATION:

Inquire status. When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

(vet)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR  
HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/03/08 TIME: 10:00 DEPT: E1  
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CASE #: CONPS0800256

CASE NAME: LORA JENNINGS

HEARING:  
Petition for Appointment of Conservator

COUNSEL:  
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL  
LORA JENNINGS (CEP)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for appointment of Conservatorship of person and estate by PG.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

- 1 No bond - PG.
- 2 Petitioner seeks Pr. C. § 2590 powers to sell real or personal property of the estate and proceeds to be used for Conservatee's care and personal needs.
- 3 Petitioner seeks authority to deposit up to \$5000 in an irrevocable burial trust and authority to abandon and/or donate personal property with value of \$300 or less; storage or a sale would be a burden on the estate.
- 4 Petitioner seeks medical powers. Medical Capacity declaration filed in support.
- 5 Court Investigator report filed.
- 6 Medical declaration states that proposed conservatee is medically unable to attend hearing. Return of citation filed.

RECOMMENDATION:

Court's discretion. If approved, set hearing for Compliance Review for **06-15-09** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Care Plan per Pr.C.§2352.5; Inventory & Appraisal, and proof of service of I&A and Instructions for Objection per Pr.C.§2610; recordation of letters if applicable per Pr.C.§2313.

Set hearing re Accounting Review for **11-09-09**. Any accounting to be filed 30 days in advance.

(vet/cbr)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/03/08 TIME: 10:00 DEPT: E1  
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CASE #: SC SS00059

CASE NAME: IN THE MATTER OF SARA G CURRY

HEARING:  
THIRTEENTH AND FINAL Account and Report of PG and Petition for fees

COUNSEL:  
SARA G CURRY (CEP)...  
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 13<sup>th</sup> & Final Account and petition for fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

- 1 Accounting period covers 07-28-06 to 06-23-08.
- 2 Conservatee died 08-02-07.
- 3 Assets on hand \$4,537.88 consisting of cash.
- 4 Public Guardian and County Counsel request fees of \$1,134.47 each.
- 5 Petitioner requests authorization of the remaining balance in the estate, the sum of \$4,537.88, to be paid to California Department of Health Services for services rendered to the conservatee. JTD
- 6 Conservatee died 08-02-07. The final accounting shall be filed within 120 days after conservatee's death unless good cause for the delay is shown per local rule 20-1410(b).

RECOMMENDATION:

If approved court to set hearing re filing receipts and final discharge for **11-09-09**  
(vet)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/03/08 TIME: 10:00 DEPT: E1  
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CASE #: SC SS02928

CASE NAME: MTR OF ALICE L ROLEN

HEARING:

SECOND & FINAL Account and Report of PUBLIC GUARDIAN and Petition for fees

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL  
ALICE L ROLEN (CEP)...ROBERT S WORLEY

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 2<sup>nd</sup> & Final Account and petition for fees

#### THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

- 1 Accounting period covers 08-30-06 to 04-18-08.
- 2 Conservatee died 11-28-07.
- 3 Assets on hand \$3,167.55 consisting of cash.
- 4 Public Guardian and County Counsel request fees of \$791.88 each.
- 5 Petitioner requests authorization of the remaining balance in the estate Dept. of Health Services for services rendered to the conservatee. JTD
- 6 Disbursements show payment of \$367.89 to Treasurer-Tax Collector for "postage reimbursement" on 02-25-08. Question the purpose for this expenditure. File verified supplement.
- 7 Conservatee died 11-28-07. The final accounting shall be filed within 120 days after conservatee's death unless good cause for the delay is shown per local rule 20-1410(b).

#### RECOMMENDATION:

Need supplement, then Court's discretion. If approved court to set hearing re filing receipts and final discharge for **11-09-09**.

(vet)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/03/08 TIME: 10:00 DEPT: E1  
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CASE #: SC SS2277

CASE NAME: IN THE MTTR OF RUTH E SHOHAN

HEARING:  
NINETEENTH AND FINAL Account and Report of PG and Petition for fees

COUNSEL:  
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL  
RUTH E. SHOHAN (CEP)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 19<sup>th</sup> & Final Account and petition for fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

- 1 Accounting period covers 09-16-06 to 04-18-08 (19 months).
- 2 Conservatee died 11-18-07.
- 3 Assets on hand \$2,524.34 consisting of cash.
- 4 Public Guardian and County Counsel request fees of \$650.00 each.
- 5 Petitioner requests authorization of the remaining balance in the estate, the sum of \$1,224.34 to be paid to Dept. of Health Services for services rendered to the conservatee. JTD
- 6 Conservatee died 11-18-07. The final accounting shall be filed within 120 days after conservatee's death unless good cause for the delay is shown per local rule 20-1410(b).

RECOMMENDATION:

If approved court to set hearing re filing receipts and final discharge for **11-09-09**.  
(vet)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/03/08 TIME: 10:00 DEPT: E1  
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CASE #: SLCSS01802

CASE NAME: MTR OF KIMBERLY RODRIGUEZ

HEARING:  
FIFTH Account and Report of PUBLIC GUARDIAN and Petition for fees

COUNSEL:  
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL  
KIMBERLY RODRIGUEZ (CEP)...HARTNELL HORSPPOOL & FOX

GENERAL INFORMATION  
Letters expire 04-25-09.

THIS CASE IS SET FOR HEARING ON 5<sup>th</sup> account current and petition for fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

- 1 Accounting period covers 05-30-07 to 05-27-08.
- 2 Assets on hand \$271.19 consisting of cash.
- 3 Public Guardian and County Counsel request fees of \$54.00 each.

RECOMMENDATION:

If approved, Court to set next **LPS** hearing re Accounting Review for **11-09-09**. Accounting to cover the period of 05-28-08 to 05-29-09. Any accounting to be filed 30 days in advance.  
(vet)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/03/08 TIME: 10:00 DEPT: E1  
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CASE #: SLCSS03030

CASE NAME: MTR RE PAULINE TAYLOR

HEARING:  
SECOND Account and Report of PUBLIC GUARDIAN and Petition for fees

COUNSEL:  
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL  
PAULINE TAYLOR (CEP)...HARTNELL LISTER & MOORE

GENERAL INFORMATION  
Letters expire 01-11-09.

THIS CASE IS SET FOR HEARING ON 2<sup>nd</sup> account current and petition for fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

- 1 Accounting period covers 03-10-07 to 06-23-08 (15 months).
- 2 Assets on hand \$486.23 consisting of cash.
- 3 Public Guardian and County Counsel request fees of \$122.00 each.

RECOMMENDATION:

If approved, Court to set next **LPS** hearing re Accounting Review for **11-09-09**. Accounting to cover the period of 06-24-08 to 06-23-09. Any accounting to be filed 30 days in advance.  
(vet)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/03/08 TIME: 10:00 DEPT: E1  
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CASE #: SLCSS6382

CASE NAME: IN THE MATTER OF DANIEL JAMES SCOTT

HEARING:  
Accounting Review

COUNSEL:  
DANIEL JAMES SCOTT (CEP)...HARTNELL HORSPOOL & FOX  
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL

GENERAL INFORMATION  
Letters expire 07-16-09.

THIS CASE IS SET FOR HEARING ON accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

- 1 On 08-27-07 court approved the 7<sup>th</sup> account; 8<sup>th</sup> accounting now due covering the period 05-03-07 to 05-02-08.
- 2 No accounting filed.

RECOMMENDATION:

Inquire status. When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

(vet)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/03/08 TIME: 10:00 DEPT: E1  
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CASE #: SLCSS6812

CASE NAME: MATTER OF DANIEL SUSKE

HEARING:  
Accounting Review

COUNSEL:  
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL  
DANIEL SUSKE (CEP)...HARTNELL HORSPOOL & FOX

GENERAL INFORMATION  
Letters expired 05-29-08.

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

- 1 On 08-27-07, the 7<sup>th</sup> account current was granted. On 05-29-08, the LPS conservatorship was terminated. Need **final** accounting to cover the accounting period 01-25-07 to 05-29-08.
- 2 No accounting filed. Need **final** accounting.

RECOMMENDATION:

Inquire status. When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.  
(vet)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR  
HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/03/08 TIME: 10:00 DEPT: E1  
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CASE #: VC VS00143

CASE NAME: MTR OF NICHOLAS JOSEPH HARRY SMITH

HEARING:

SECOND Account and Report of PUBLIC GUARDIAN and Petition for fees

COUNSEL:

NOREEN SMITH (PET)...  
NICHOLAS JOSEPH SMITH (CEP)...  
ELENA ARMSTRONG (CEP)...PRO/PER  
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL  
INLAND REGIONAL CENTER (OBJ)...J.S. HERMANSON

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 2<sup>nd</sup> account current and petition for fees for  
Special Needs Trust

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

- 1 Accounting period covers 04-15-07 to 06-13-08 (14 months).
- 2 Assets on hand \$20,237.01 consisting of cash and pre-need burial trusts.
- 3 Summary of Account is not on the mandatory Judicial Council Form (GC-400/405).  
Court may wish to direct petitioner to use such form for future accountings. Judge  
to decide.
- 4 Public Guardian and County Counsel waive compensation.
- 5 Annual Court Investigator report filed on 09/24/08.

RECOMMENDATION:

If approved, Court to set the next hearing re Accounting Review of SNT for **11-09-09**.  
Accounting to cover the period of 06-14-08 to 06-13-09. Any accounting to be filed 30  
days in advance.  
(vet/cbr)

FUTURE HEARING DATES:

9/27/10 Accounting Review as to the conservatorship estate

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

**CONSERVATORSHIP**

-----  
DATE: 11/03/08 TIME: 10:30 DEPT: E1  
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CASE #: CONPS0700057

CASE NAME: \*\*MF\*\* RUSSELL MACK PHILLIPS

HEARING:

Hearing Re: Court Compliance Review

COUNSEL:

KEITH PHILLIPS (CPE)...JAMES B CHURCH & ASSOCIATES  
RUSSELL MACK PHILLIPS (CEP)...JOAN NELMS  
ROBERT HEENEY (PET)...LINDA ROBERTS-ROSS  
LAWRENCE DEAN II (TC )...SHERRI L KASTILAHN

GENERAL INFORMATION

Court appointed Lawrence Dean successor conservator of the person and estate on 09/17/07, \$500,000 bond.

Continued from 3-25-08 and 5/27/08 at request of counsel. Counsel represented that inventory and appraisal was with the probate referee. Nothing new filed.

Continued from 7/15/08 as counsel states the I&A is with the probate referee and the care plan was filed 3/2008.

**Continued from 9/15/08 at request of counsel.**

THIS CASE SET FOR HEARING ON Compliance Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Final Inventory and Appraisal filed.
2. Need statement of care plan per Pr.C. § 2352. M/O of 7/15/08 indicates the care plan was filed in March of 2008; however, the care plan cannot be located in the file or the ROA. Please file a conformed copy of the care plan. **Care plan filed in pleading form. Does Court wish to require petitioner to re-file the care plan using the local form? JTD**
3. Court Investigator annual report filed.
4. **Note: the future hearing date for Accounting Review for Conservator, Lawrence Dean, was mistakenly vacated and is now placed back on calendar for 11/24/08.**

RECOMMENDATION

Court's discretion.

(cbr/NMT/NMT/gls/kra/cbr)

FUTURE HEARING DATES:

11/24/08 Accounting Review

4/07/09 Hearing re Final Discharge of prior temporary conservator, Keith Phillips

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/03/08 TIME: 10:30 DEPT: E1  
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CASE #: CONPS0800251

CASE NAME: ANTHONY JAMES WALLACE

***VACATED AND RESET ONTO 12/16/08.***

HEARING:  
Petition for Appointment of Conservator

COUNSEL:  
RON K REID (CP)...PRO/PER  
RHONDA M. REID (CP)...PRO/PER  
ANTHONY JAMES WALLACE (CTP)...MITCHELL I ROTH

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/03/08 TIME: 10:30 DEPT: E1  
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CASE #: SC SS01797

CASE NAME: MATTER OF DE'WAYNE CORY

**SEE ALSO 46A & 47 & 48**

HEARING:

Hearing Re: STATUS OF REMOVAL OF CONSERVATOR/TRUSTEE

COUNSEL:

BETTY L CORY (CPE)...JAMES B CHURCH  
DE'WAYNE CORY (CEP)...JOAN NELMS  
MELODIE Z SCOTT (CE )...HORSPOOL & PARKER  
HARTFORD INSURANCE CO. (TP )...LASKERO AND ASSOCIATES

GENERAL INFORMATION

**Continued from 7/7/08 at request of counsel.**

**Continued from 8/25/08 court gives Melodie Scott authority to pursue action on KB Homes.**

THIS CASE IS SET FOR HEARING ON status of conservatorship; petition for reappointment of conservator of the estate and for removal of Temporary Successor conservator of the estate.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner, Betty Cory was the prior conservator of the person and estate, but was suspended 2/27/08 for lack of bond and other issues. Petitioner was reappointed conservator of the person on 3/5/08. Melodie Scott was appointed Temporary Successor Conservator of the estate on 3/10/08.
2. Petitioner states that petitioner has retained counsel to assist in complying with conservatorship matters and court rules and requests to be reinstated as conservator of the estate.
3. Petitioner alleges the conservatee requests that Melodie Scott be removed as Temporary Conservator of the estate. Petitioner alleges that Melodie Scott has attempted to cancel the contract to purchase the desired home of conservatee,

failed to provide adequate personal spending money for conservatee, and has been uncooperative with petitioner.

4. Petitioner alleges the conservatee requests to retain independent counsel as conservatee does not believe that Attorney Nelms is representing the wishes of the conservatee. Petitioner alleges the conservatee requests authorization to retain Scott Grossman as conservatee's legal counsel. Court may wish to inquire if Attorney Nelms is representing Melodie Scott in other matters.

**RECOMMENDATION:**

Court's discretion.

(/gls)

Future hearing dates: 12/11/08 Petition for order directing KB Homes etc.

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/03/08 TIME: 10:30 DEPT: E1  
-----

CASE #: SC SS01797

CASE NAME: MATTER OF DE'WAYNE CORY

**SEE ALSO 46 & 47 & 48**

HEARING:

Hearing Re: STATUS REPORT OF CONSERVATORSHIP PETN FOR REAPPTMN

COUNSEL:

BETTY L CORY	(CPE)...	JAMES B CHURCH
DE'WAYNE CORY	(CEP)...	JOAN NELMS
MELODIE Z SCOTT	(CE )...	HORSPOOL & PARKER
HARTFORD INSURANCE CO.	(TP )...	LASKERO AND ASSOCIATES

See notes on prior page (matter #46).

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/03/08 TIME: 10:30 DEPT: E1  
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CASE #: SC SS01797

CASE NAME: MATTER OF DE'WAYNE CORY

**SEE ALSO 46 & 46A & 48**

HEARING:

Hearing Re: Status on Accounting by Betty Cory

COUNSEL:

BETTY L CORY	(CPE)...	JAMES B CHURCH
DE'WAYNE CORY	(CEP)...	JOAN NELMS
MELODIE Z SCOTT	(CE )...	HORSPOOL & PARKER
HARTFORD INSURANCE CO.	(TP )...	LASKERO AND ASSOCIATES

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting review re accounting by Betty Cory

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Need an accounting to be prepared by Betty Cory for the period 5/18/01 – 2/28/08 (date of suspension as to estate powers) as no former accounting has been prepared. It appears from the file, that there were no funds in the conservatorship until a settlement from a civil suit (SCVSS079411) on 8/8/07
2. No accounting filed.

RECOMMENDATION:

Inquire status.

(kra)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/03/08 TIME: 10:30 DEPT: E1  
-----

CASE #: SC SS01797

CASE NAME: MATTER OF DE'WAYNE CORY

**SEE ALSO 46 & 46A & 47**

HEARING:  
Petition for Appointment of Conservator

COUNSEL:  
BETTY L CORY (CPE)...JAMES B CHURCH  
DE'WAYNE CORY (CEP)...JOAN NELMS  
MELODIE Z SCOTT (CE )...HORSPOOL & PARKER  
HARTFORD INSURANCE CO. (TP )...LASKERO AND ASSOCIATES

GENERAL INFORMATION:

Betty Cory was appointed conservator of the person and estate of conservatee on 8/14/01 (without bond initially). A final inventory was filed on 12/7/07 indicating settlement proceeds in excess of \$2m. Court fixed bond at \$2,374,000 on 8/29/07. Do not see bond was ever posted. Conservator was subsequently suspended on 2/28/08 and Melodie Scott appointed temporary on 3/10/08 (w/bond of \$355,000).

**Continued from 7/17/08 and 8/25/08 at request of counsel.**

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Successor Conservator, person and estate, by Melodie Scott (PPF)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The court on 2/28/08 reinstated the powers of Betty Cory as to the conservatorship of the person. Petitioner, Melodie Scott, alleges that the former conservator, Betty Cory, is unable to qualify for a bond of \$2,374,000.
2. Petitioner, Melodie Scott, requests bond be fixed at \$2,374,000. Appears adequate. Judge to decide
3. Petitioner requests specific authority to hire an attorney to represent the conservatorship estate in renegotiating or canceling the contract for the purchase of a home for the benefit of the conservatee. Petitioner believes that the house, after it is constructed, will be unsuitable for the needs of the

conservatee and the contract is not in the best interests of the conservatee as it obligates the estate to pay approximately \$1m for a home which the market value has dropped considerably. Petitioner has spoken with the law firm of Wildish & Nialis about representation re the above contract and will provide the legal services agreement to the court for an in camera review. Said attorneys have requested \$5,000 initial retainer for legal services to be provided. Judge to decide

4. Need to file notice of hearing and proof of service.
5. Court Investigator report filed, see blue tab.
6. Court may wish to inquire whether proposed successor conservator has her license issued from the Department of Consumer Affairs which is required as of 7/1/08. If not, the court cannot appoint petitioner until PPF's license is issued per Pr.C. §2340.

**RECOMMENDATION:**

Need notice and Court's determination if petitioner, Melodie Scott, has attained the required license to serve as PPF. If approved, set hearing for filing of a care plan, Pr.C. §§2352 for 6/15/09. Set hearing on accounting review for 1/11/10. Accounting to be filed 30 days in advance.

(gls/cbr/gls/kra)

Future hearing dates: 12/11/08 Petition for order directing KB Homes etc.

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/03/08 TIME: 10:30 DEPT: E1  
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CASE #: SC SS7152

CASE NAME: IN THE MATTER OF TERRY E FREEMAN

HEARING:  
Hearing Re: Status

COUNSEL:  
ROBERT FREEMAN (CPE)...PRO/PER  
NANCY FREEMAN (CPE)...PRO/PER  
TERRY FREEMAN (CEP)...FRANK J PRAINITO

GENERAL INFORMATION:

**Continued from 8/25/08 Attorney Prainito is appointed for the conservatee. County Counsel states that the conservatee is residing in a board & care in Beaumont; the conservatee's brother is the payee for public benefits; and the IRC is involved and does not believe a conservatorship is necessary. Matter referred to IRC for report.**

THIS CASE IS SET FOR HEARING ON Status

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Court Investigator indicates the conservators are deceased leaving a vacancy in the conservatorship. Court will need to inquire whether conservatee's brother, Kenneth Freeman, will file a petition for appointment either in San Bernardino or Riverside County.
2. Clerk noticed PG of a possible appointment.

RECOMMENDATION:

Court's discretion.  
(kra)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH **MISC.**

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DATE: 11/03/08 TIME: 1:30 DEPT: E1  
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CASE #: RPRRS02884

CASE NAME: JOSE AND GUADALUPE HERNANDEZ LIVING TRUST

HEARING:

Court Trial -- Estimated trial length 0:00 hrs. \*\*\*

COUNSEL:

MARGARET HERNANDEZ (PET)...AAEN LAW PARTNERS  
MARK HERNANDEZ (PET)...AAEN LAW PARTNERS  
JOSE HERNANDEZ (DEC)...  
GUADALUPE HERNANDEZ (DEC)...  
MARGIE FRY (OBJ)...ALLAR, SHELTON & O'CONNOR

No calendar notes as this is on for Court Trial.

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN **PROBATE**

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DATE: 11/03/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0700394

CASE NAME: ROBERT WILLIAM SCHNEIDER

HEARING:  
Accounting Review

COUNSEL:  
VINCENT A TAGLIERI (PET)...PRO/PER  
ROBERT WILLIAM SCHNEIDER (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Letters issued 8/27/07, no bond.
2. No accounting or status report of administration filed.

RECOMMENDATION:

Inquire status. When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. §11050 et seq.  
(kra)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 11/03/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0600320

CASE NAME: LINDA LEE ROBERTS

**SEE ALSO 1B**

HEARING:

Order to Show Cause re: FAILURE TO APPEAR/FILE FINAL DISCHARGE  
/SANCTIONS filed by TERAH ROBERTS.

COUNSEL:

TERAH ROBERTS (PET)...ANDREA ASTON  
LINDA LEE ROBERTS (DEC)...  
STATE OF CALIFORNIA FRANCHISE (TP )...

GENERAL INFORMATION

Waiver of accounting granted on 08/23/07

**Continued from 8/28/08. No appearance and court set this OSC**

**Continued from 10/02/08. No appearance. Receipts and final discharge and order  
filed/submitted on 09/25/08.**

THIS CASE SET FOR HEARING ON OSC re failure to appear and/or file receipts and  
Final Discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Note: A subsequent creditor's claim was filed on 4/25/08 by Franchise Tax Board  
in the amount of \$1,062.00 for 2006 taxes. Court may wish to inquire whether all  
taxes have been paid or alternatively, set an additional OSC re payment of taxes.

RECOMMENDATION

Court's discretion

(cbr/gls)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 11/03/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0600320

CASE NAME: LINDA LEE ROBERTS

**SEE ALSO 1A**

HEARING:

Order to Show Cause re: PAYMENT OF TAXES filed by TERAH ROBERTS

COUNSEL:

TERAH ROBERTS (PET)...ANDREA ASTON  
LINDA LEE ROBERTS (DEC)...  
STATE OF CALIFORNIA FRANCHISE (TP )...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON OSC re Payment of Taxes

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Matter was set on 10/02/08 to confirm that all taxes have been paid. Notice given by courtroom clerk.

RECOMMENDATION

Court's discretion

(cbr)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/03/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0700500

CASE NAME: MTR OF RUMINTANG ASDORA MANGUNSONG

HEARING:  
Probate status report filed.

COUNSEL:  
WINSTON MANGUNSONG (PET)...HARTNELL, LISTER & MOORE  
RUMINTANG ASDORA MANGUNSONG (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Status report of administration

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner alleges the estate is not in a condition to be closed as the prospective buyer's loan fell through. However, a new buyer has come forward.
2. Petitioner requests the court continue the administration for an additional year.

RECOMMENDATION:

Court's discretion. If approved, court to set hearing re accounting/status review for

**11/9/09.**

(kra)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/03/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0700682

CASE NAME: MTR OF PATRICIA ANN HENDRICKSON

HEARING:  
Accounting Review

COUNSEL:  
CHARLES M HENDRICKSON JR (PET)...HERB CHAVERS  
PATRICIA ANN HENDRICKSON (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Letters issued 8/27/07, no bond.
2. No accounting or status report of administration filed.

RECOMMENDATION:

Inquire status. When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. §11050 et seq.

(kra)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/03/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0700898

CASE NAME: BEULAH BABCOCK

HEARING:  
Accounting Review

COUNSEL:  
JAMES B. CHURCH (PET)...JAMES B CHURCH  
BEULAH BABCOCK (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Letters issued 10/29/07, no bond.
2. No accounting or status report of administration filed.

RECOMMENDATION:

Inquire status. When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. §11050 et seq.  
(kra)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/03/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0701180

CASE NAME: EMILIA O. KEASKOWSKI

***VACATED-Final Inventory and Appraisal filed.***

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

RITA TRUJILLO (PET)...WILLIAM J. BRUNICK  
EMILIA O KEASKOWSKI (DEC)...

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/03/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0800132

CASE NAME: LAWRENCE E. MILTON & MARGARET A. MILTON TRUST

**VACATED.**

HEARING:  
Petition for DETERMINE VALIDITY OF PURPORTED TRUST AMENDMENT &  
POUR-OVER WILL

	COUNSEL:	
DONA MASTIN	(PET)...	RUSSAKOW, RYAN & JOHNSON
JOEL J LOQUVAM	(RES)...	STEPHEN R. RYKOFF
RICHARD MILTON	(SLOVAK, BARRON & EMPREY	)...SLOVAK, B
SUSAN HANSON	(SLOVAK, BARRON & EMPREY	)...SLOVAK, B

FUTURE HEARING DATES:  
12/01/08 Hearing Re: STATUS CONFERENCE  
3/05/09 Readiness Calendar  
3/09/09 Court Trial set for PETITION FOR PROBATE of DONA MASTIN

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/03/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0800702

CASE NAME: KEVIN ENGLISH

HEARING:

Petition for FOR ORDER AUTHORIZING ATTORNEY PROPOSAL TO  
ESTABLISH A SPECIAL NEEDS TRUST

COUNSEL:

RAY COVARRUBIAS (PET)...GREGORY J. LEDERMAN

GENERAL INFORMATION:

**Continued from 10/2/08 for notes to be cleared. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON

Petition to create SNT per power of attorney.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is the attorney-in-fact for principal/beneficiary who is to receive a sizeable settlement in a civil action. See Durable Power of Attorney at Exhibit A to petition (tabbed). The Power of Attorney grants authority to petition for the creation of a SNT.
2. On 9/4/08, petitioner filed a First Supplement to this petition to provide an amended proposed SNT instrument (tabbed). All references to the SNT instrument are to that document and the court should ensure that any order incorporates that language unless subsequent amendments are required.
3. There is some uncertainty in the law regarding whether the requirements of CRC Rule 7.903 apply to SNTs created via a power of attorney. (See CEB, Special Needs Trusts, supra, Vol. 1, section 11.48, p. 551.) It is the policy of this court to apply the CRC Rule 7.903 requirements unless the principal/beneficiary signs a waiver of those requirements (on the basis that, unlike conserved SNT beneficiaries, a "power of attorney" beneficiary usually has the mental capacity to form a valid waiver and does not need the inherent protections of CRC Rule 7.903).  
Issues:
  - a. There is a concern in this case that the beneficiary may or may not have sufficient capacity. Petitioner alleges throughout the briefs that the

beneficiary has been abused, that he suffers from “various psychiatric issues” such that he qualifies for SSI and Medi-Cal, that it “it may become necessary in the future” to conserve the beneficiary, etc. See also section 1.1 of the proposed SNT instrument which states that the beneficiary “suffers from various psychological and psychiatric disorders.” Suggest court require additional detail regarding the beneficiary’s mental status and ability to form a valid power of attorney as well as the estate planning that is contained in the proposed SNT instrument (see additional info below). Such detail could be provided in a confidential filing or in camera. **Supp: The proposed beneficiary has mental capacity, is bipolar and is on medication but is competent to contract and make testamentary decisions (and was medicated when he signed the Power of Attorney). JTD.**

- b. Unless there is a valid waiver of the CRC Rule 7.903 requirements, a further examination will need to be made regarding whether all requirements of Rule 7.903 have been met by this petition and the proposed SNT instrument. **Supp: Petitioner submits to the requirements of Rule 7.903 and sets forth the details re how the proposed trust meets all of those requirements. Ok.**
- 7. The proposed SNT instrument contains estate planning to the extent it makes specific distributions of remaining trust assets to specific beneficiaries. Normally this is problematic in a SNT because the conserved beneficiary does not have capacity to do so. Under “power of attorney” SNTs, however, the beneficiary is presumed to have such capacity. Here, the court will need to be satisfied re the beneficiary’s capacity to form estate planning documents. **Supp: See prior note re capacity of the proposed beneficiary. JTD.**
- 8. The requirements of Pr.C. 3604 apply even to a “power of attorney” SNT. Concerns (need verified supplement):
  - a. Per Pr.C. 3604(b)(1), a SNT may only be created if the court finds that the SNT beneficiary has a disability that substantially impairs the individual’s ability to provide for his/her own care or custody and constitutes a substantial handicap. Insufficient information is provided in the petition to allow the court to make this finding. **Supp: The proposed beneficiary’s illness is such that he cannot independently function (as evidenced by the fact that he is therefore a long-term recipient of Medi-Cal and SSI). JTD.**
  - b. Per Pr.C. 3604(b)(2), a SNT may only be created if the court finds that the beneficiary is likely to have special needs that will not be met without the trust. No information is provided in the petition to allow the court to make this finding. **Supp: It is likely that Medi-Cal will not cover, or will only partially cover, those things that would help the proposed beneficiary with his bipolar illness. Medi-Cal is his only insurance and it would be lost without a SNT. JTD.**
  - c. Per Pr.C. 3604(b)(3), a SNT may only be created if the court finds that the money to be paid into the trust does not exceed an amount that is reasonably necessary to meet the special needs of the beneficiary.

- i. There is no information provided re the nature and costs of the special needs, the life expectancy of the beneficiary, a resulting calculation of the cost of the needs over the expected life of the beneficiary such that an anticipated total cost of the special needs could be found, etc., to allow the court to make the required Pr.C. 2604(b)(3) finding. **Supp: Petitioner alleges that the amount is reasonably necessary. The proposed beneficiary is 35 and has a regular life expectancy. Costs related to the bi-polar treatment would be \$50,000 to \$200,000/yr depending upon hospitalization. JTD.**
  - ii. Petitioner proposes to fund the SNT with the proceeds of the settlement over \$1.8 million including \$500,000 initially plus an annuity paying \$7,095/month for life (plus presumably a reasonable return on investment). There do not appear to be physical/medical impairments that would require extensive surgeries/therapies, etc. Question the propriety of a SNT (as opposed to the beneficiary's ability to pay for her needs out of her own considerable means). **Supp: See prior note. Also, without a SNT the proposed beneficiary would be required to spend his settlement money on things that the government will pay for. JTD.**
- 9. Wells Fargo Bank is the proposed trustee (but not the petitioner) yet there is no indication of WFB's consent to serve nor even notice to WFB. Need consent by and notice to WFB (including the original petition and the supplement containing the operative proposed SNT instrument). **Supp: Consent and notice waiver now filed.**
- 10. No bond – proposed trustee is an institutional trustee.
- 11. Petitioner sets forth the proposed trustee's fee schedule in a matrix at p. 4 of the original petition (tabbed). Petitioner adds a request that the trustee be allowed to take periodic fees per the fee schedule prior to the filing of the first accounting. JTD.

#### RECOMMENDATION

Court's discretion. If approved, set accounting review for 1/11/10.

abs\*

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/03/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0800864

CASE NAME: MTR OF DONALD HOWARD VANDERVEEN

HEARING:  
Spousal Property Petition hearing.

COUNSEL:  
SUSAN K WALKER (PET)...PRO/PER  
DONALD HOWARD VANDERVEEN (DEC)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON spousal Property Petition

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner is surviving spouse and requests the court's determination/confirmation of the community property interests and of decedent's sole property interest in personal property to petitioner as sole beneficiary in accordance with decedent's will.
2. Section 5(a)(2) as to issue of predeceased child is incomplete. Need verified supplement.

RECOMMENDATION:  
Need to clear note 2 then Court's discretion.

(kra/cbr)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR  
HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/03/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0800866

CASE NAME: EDWARD LUKOWSKI

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

RITA M. MARTIN (PET)...PEACH & WEATHERS  
EDWARD LUKOWSKI (DEC)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA

#### THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Proof of service of notice of Petition to Administer Estate filed and notice given to the Public Administrator.
2. Petitioner requests no bond. Petitioner is not related to the decedent and is not aware of any next of kin. Petitioner requests to open the estate to pursue a litigation matter on behalf of the estate. Petitioner alleges the litigation may yield a maximum of \$10,000 which will be used to pay burial expenses. Alternatively, Court may wish to require that any money received be placed in a blocked account or address the issue of bond at a later date when the litigation is settled. JTD

#### RECOMMENDATION:

As the decedent died with no known relatives the PA has priority before petitioner (Pr.C.§8461). Court will first need to determine if the PA will be requesting appointment. Court's discretion re bond. If approved, set future hearings for filing of Inventory & Appraisal on 6/15/09 and for Accounting Review on 1/11/09. Any accounting to be filed 30 days in advance. Note requirements of local rule 20-908.  
(kra/cbr)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/03/08 TIME: 9:00 DEPT: E2  
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CASE #: RPRRS02740

CASE NAME: CLAUDE DAVIS JR.

**SEE ALSO 9**

HEARING:  
Hearing re: Inventory and appraisal

COUNSEL:  
ANTHONY WAYNE DAVIS (PET)...PRO/PER  
CLAUDE DAVIS JR. (DEC)...  
WALTER G RICHARDSON (PET)...WALCH & WALCH  
DEBORAH COLEMAN (OBJ)...WALCH & WALCH

**GENERAL INFORMATION**

Continued from 2/20/07. No appearance. Clerk mailed notice.

Continued from 4-17-07. Counsel represented that inventory was with the probate referee.

Continued from 5-29-07 at request of counsel. Nothing new filed.

Continued from 7-17-07. Since the last hearing the petitioner has filed a new inventory and appraisal. However, in the new inventory and appraisal the petitioner has not included the \$3,000 of household furniture and furnishings, has failed to mark the document as a corrected inventory and appraisal and still has not provided bank statements.

Continued from 10/2/07 at request of counsel.

Continued from 12/18/07 at request of counsel to clear notes. Anthony Wayne Davis was removed as executor and Walter Richardson was appointed successor.

Continued from 06/06/08. On 06/06 Court determined that Inventory and Appraisal was set because bank statements filed did not match the Inventory and Appraisal after 02/03/05. Reconciliation as of 02/20/05 needed. Matter continued to trail other matters. Nothing new filed.

**Continued from 7/28/08 at request of Court for corrected I&A with correct bank balances to be filed.**

THIS CASE IS SET FOR HEARING ON filing of inventory and appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. An inventory and appraisal has now been filed. It appears that the counsel has whited out the figures placed on the document by the probate referee and entered other figures. Review of the document would appear to indicate that counsel has attempted to do appraisal permissible by the executor on the same inventory and appraisal done by the probate referee. This has resulted in improperly completed documents. **Corrected inventory and appraisal now filed.**
2. The proper procedure would be to do a partial number 1 by the probate referee and a partial number 2 and final by the petitioner. It is not proper to cross out the figures of the probate referee. We now have a new inventory and appraisal. However, in the new inventory and appraisal the petitioner has not included the \$3,000 of household furniture and furnishings, has failed to mark the document as a corrected inventory and appraisal and still has not provided bank statements. There is a supplemental inventory and appraisal listing household furniture and furnishings at \$1,500, but as this is not marked corrected inventory and appraisal it must be assumed that these items are over and above the \$3,000 items in the first inventory and appraisal. **Corrected inventory and appraisal in file.**
3. Copies of investment account statements verifying the balance of cash or securities shall be filed with all inventories and/or accountings. Please file those documents. **Bank statements have been filed, but do not match the inventory and appraisal. See yellow and blue tab in file.**

RECOMMENDATION:

Need copies of bank statements and possibly another corrected inventory.

(NMT/cbr)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/03/08 TIME: 9:00 DEPT: E2  
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CASE #: RPRRS02740

CASE NAME: CLAUDE DAVIS JR.

**SEE ALSO 8**

HEARING:  
Accounting Review

COUNSEL:  
ANTHONY WAYNE DAVIS (PET)...PRO/PER  
CLAUDE DAVIS JR. (DEC)...  
WALTER G RICHARDSON (PET)...WALCH & WALCH  
DEBORAH COLEMAN (OBJ)...WALCH & WALCH

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Status conference statement filed. However, it appears to be a status report.
2. Petitioner requests a 90 day continuance.
3. Whenever a status report is filed without an accounting, notice must indicate a right to an accounting in accord with Pr.C. § 10950. This form of notice is mandatory per Pr. C. § 12201(b).
4. Anthony Davis resigns as trustee of estate and Walter Richardson will act as successor.

RECOMMENDATION:

Need proper notice then Court's discretion.  
(kra/cbr)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/03/08 TIME: 9:00 DEPT: E2  
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CASE #: SPRSS05600

CASE NAME: ESTATE OF AILEEN GANTT

HEARING:

Order to Show Cause re: FAILURE TO APPEAR/FILE FINAL DISCHARGE  
filed by MAVIS A. HOOKS.

COUNSEL:

MAVIS A. HOOKS	(PET)...
AILEEN GANTT	(DEC)...
CATHERINE ANN PAYNE	(PET)...
JOSEPH PAYNE	(OBJ)...

GENERAL INFORMATION:

**Continued from 10/2/08. No appearance. Notice to counsel mailed to Nevada street address. Counsel and administrator are ordered to appear. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON O.S.C. re failure to file receipts and final discharge order and failure to appear.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. This matter was set when matter was on calendar for filing of receipts and final discharge. No documents were filed and no one appeared.
2. Clerk gave notice to counsel of record only. Notice to counsel returned undeliverable.
3. Nothing new filed.

RECOMMENDATION:

If no one appears the court will have to issue citations and order them personally served.

(NMT/cbr/kra)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/03/08 TIME: 9:00 DEPT: E2  
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CASE #: SPRSS06284

CASE NAME: ESTATE OF ROBERT EARL JOHNSON

HEARING:

Hearing Re: REPORT OF STATUS OF ADMINISTRATION

COUNSEL:

SHARON JOHNSON (PET)...SHERRI L KASTILAHN  
ROBERT EARL JOHNSON (DEC)...  
CONSCIOUSNESS FOUNDATION INC (TP )...PRO/PER  
VON ROBINSON ( )...

GENERAL INFORMATION:

Continued from 1/10/08 at request of counsel for proper notice. Sherri Kastilahn to check with the State Bar for status on Von Robinson. Nothing new filed.

Continued from 2/25/08 at request of counsel. Court notes that bench warrant issued for the arrest of Von Robinson on 11/8/07 is still Active.

**Continued from 5/5/08 Counsel reports that Attorney Robinson has several trials pending before the State Bar. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON report of status of administration

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner alleges the estate is not in a condition to be closed as the estate assets were placed in the former attorney's client trust account and that this and related matters concerning the former attorney and improper distributions are currently before the State Bar.
2. Petitioner requests an additional 6 month extension in order to close the estate.
3. Notice complete.

RECOMMENDATION:

Court's discretion.  
(KRA/kra).

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/03/08 TIME: 9:00 DEPT: E2  
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CASE #: SPRSS06358

CASE NAME: EST OF FLORALEE S PITCHFORD

HEARING:  
Hearing Re: Receipts and Final Discharge

COUNSEL:  
BERYL ANN SWINGLE (PET)...E. JOAN NELMS  
FLORALEE S PITCHFORD (DEC)...  
RICHARD E BAWDEN (TP )...RICHARD E BAWDEN

GENERAL INFORMATION:  
Continued from 5/12/08 at request of Attorney Soady. Nothing new filed.  
**Continued from 7/14/08 and 9/15/08 at request of counsel. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON final discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Final accounting approved 5/7//07.
2. Need receipts.
3. Need Ex-parte petition/order for final discharge submitted.

RECOMMENDATION:  
Inquire status. When receipts or final discharge order are not filed as ordered, court may set a hearing in accord with Pr.C. § 2655.  
(kra)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/03/08 TIME: 9:00 DEPT: E2  
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CASE #: SPRSS07054

CASE NAME: RE: ROWLAND FAMILY TRUST

HEARING:

FIRST Account and Report of JEFFREY ORNELAS and Petition for fees

COUNSEL:

RICHARD ROWLAND	(PET)...RICHARD L BARRETT
CHARLOTTE GRAVES	(PET)...RICHARD L BARRETT
JEFFREY ORNELAS	(TP )...HARTNELL LISTER & MOORE
JEFFREY ORNELAS	(HARTNELL LISTER & MOORE )...HARTNELL

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 1<sup>st</sup> account current and petition for fees and final distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Matter set at the time set for hearing re Court Trial re Petition for Removal of Trustee and Determination/Appointment of Successor Trustee on 6/30/08.
2. Minute order of 6/30/08 indicates the current realtor can list the property. Petitioner can propose 3 realtors and investigate cost of a private fiduciary. If property is not sold by the end of August, a new realtor will be appointed. Court may wish to inquire as to the current status of the sale real property?
3. accounting period covers 5/5/06 – 6/26/08
4. Assets on hand \$517,693.50 consisting of \$ 117,693.50 in cash and the balance in real property.
5. Petitioner and attorney request to reserve the right to request fees at a later date.
6. No objections are filed at the time of the review of this file

RECOMMENDATION:

Need to determine if an opposition will be filed to include attorney fees and costs as noted on the 6/30/08 minute order.

(kra)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/03/08 TIME: 9:00 DEPT: E2  
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CASE #: SPRSS07238

CASE NAME: MTR OF STEVEN MENDEZ

HEARING:

Petition for TERMINATION OF FURTHER PROCEEDINGS; AND FOR  
DISCHARGE OF ADMINISTRATOR

COUNSEL:

MELISSA JEFFERSON	(PET)...	LAW OFFICE OF LISA MACCARLEY
STEVEN MENDEZ	(DEC)...	
ANDREA L PAQUETTE	(OBJ)...	ROBERT L KORNSWIET

GENERAL INFORMATION

**Continued from 5/21/08. Court stated that it needs bank statements to verify funds in account and clear remaining notes.**

**Continued from 7/2/08 for review of supplement.**

**Continued from 8/13/08. Andrea Paquette was ordered to appear at next hearing with her atty and to submit a verified inventory listing all personal property in decedent's home on date of death. Clerk mailed notice. Nothing new filed.**

**Continued from 09/24/08. Counsel for petitioner requested that matter be terminated and close. Counsel also stated that she does not intend to further proceed in this matter because of the difficulty in getting any response from Andrea Paquette. Court will not consider termination until foreclosure is final and confirmation that there is no surplus available to pay the claims. Counsel directed to contact his client that she is ordered to appear on 11/03 and submit Inventory and Appraisal as previously ordered.**

THIS CASE IS SET FOR HEARING ON Petition to terminate proceedings and for discharge of administrator

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of special administration issued 9/13/06. Letters of administration issued 1/8/07, \$20,000 bond.

2. Petitioner alleges that the only known estate assets are a small bank account and one real property; that decedent's girlfriend has thwarted administration by refusing to allow access to the residence, by taking estate funds on deposit (later returned by the bank after investigation), and by claiming that she owns the real property; and that the small account has been depleted by initial administration costs. Petitioner requests termination of administration.
3. No authority is cited. Does petitioner proceed per Pr.C. 12251 (termination of administration for want of assets)? **Supplemental filed indicating petitioner is proceeding per Pr. C. § 12251.**
4. I&A and Supplemental I&A indicate \$375,000 real property and \$1,905.09 bank account as of date of death in 2006. Petitioner alleges that the home is worth \$277,000 and there is \$300,000 owing. **Petitioner indicates the real property located on Sage in Rialto is in foreclosure.**
5. Petitioner requests \$425 reimbursement for costs advanced (filing fees) and atty requests \$278.28 reimbursement for costs advanced (itemized). Petitioner has alleged that the estate bank account has been depleted and only remaining asset is the real property. In fact, the brief accounting provided with this petition shows \$840.09 on hand which would be consumed by the requested fee reimbursements and small reserve (see next note).
6. Petitioner requests \$136.81 reserve for closing expenses. How would the funds later be distributed if not needed (they could not be distributed to a beneficiary because none have been established and because there are creditors' claims that would have priority)? **Supplemental filed asserts counsel has spent \$40 for filing of termination and will be spending another \$95 for appearing at hearing via court call, leaving a balance of \$1.81. JTD.**
7. Three creditors' claims totaling \$7,827.76 have been made. Petitioner alleges that the small equity and depleted bank account indicate that administration is not worth pursuing. Question whether there is a duty to administer the estate under these circumstances for the benefit of the creditors (re potential recovery of some real property equity). On the other hand, petitioner sent notice of this hearing and a copy of this petition to the creditors and no opposition has been filed as of date of review. **Supplement filed indicates there is no equity in the real property, as the value has dropped to \$277,000, and that there is no duty to administer the estate for the benefit of the creditors. JTD.**
8. Petitioner alleges that a due diligence search for creditors has not been made because decedent's girlfriend has not allowed access to the residence. How can it be determined, then, that a due diligence attempt has been made to discover and marshal all assets such that a determination can be made now that administration is not worth pursuing? **Supplement filed indicates statement made regarding a due diligence search was in reference to whether other creditors existed because Petitioner did not have access to decedent's mail. It was not in reference to knowing the assets decedent owned. Further, Petitioner alleges that prior conversations with the decedent and family members led him to understand that decedent owned the home and one bank account. JTD.**

9. Petitioner requests discharge and that bond be exonerated. Petitioner presents a summary of account and schedules to account for funds marshaled. Does the court wish to allow discharge and exoneration now without further accounting, receipts, and petition for final discharge? JTD.
10. **Update: 6/26/08 supplement #2 attaches bank statements, a balanced Summary of Account, and two market analyses showing real property market value of \$250,000-\$280,000.**

#### RECOMMENDATION

Court's discretion.

abs/vet/abs/abs/abs/cbr

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/03/08 TIME: 9:00 DEPT: E2  
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CASE #: VPRVS002904

CASE NAME: ESTATE OF GARY L SHELTON

HEARING:

Hearing Re: INSTRUCTIONS RE NONCOMPLIANCE ON BENEFICIARY

COUNSEL:

DAVID COOK (PET)...ANDY J MARCUS  
GARY L SHELTON (DEC)...

GENERAL INFORMATION:

On 8/18/08 matter taken under submission.

On 8/19/08 Court orders this matter reset. Mr. Gregory arrived to court late just after matter was concluded. Mr. Gregory is ordered to file any response or objection to the petition for instructions no later than 9/4/08. Court cautions Mr. Gregory to arrive on time or early for the next hearing.

**Continued from 9/29/08 for one last time for Jaysen Gregory to file a declaration no later than 10/10/08 addressing the notes.**

THIS CASE IS SET FOR HEARING ON Petition for instructions re noncompliance of beneficiary

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner is the Court appointed executor. On 10/1/07 petitioner filed a Petition for order interpreting terms of decedent's will as there was a question with regards to the rights of Jaysen Gregory to live on the estate's real property.
2. At the evidentiary hearing re Petition for order interpreting terms of decedent's will on 3/7/08 the Court ordered Jaysen Gregory to pay and reimburse all back taxes and insurance bills as to the real property by 5/30/08 and pay all future taxes on 4/10/08 and 12/10/08.
3. Petitioner alleges that an initial payment of \$4,381.85 was made representing the property taxes and insurance payments that were due by 4/10/08 per court order. Petitioner alleges that the \$7,710.20 ordered due by 5/30/08 has not been received.

4. Petitioner alleges that decedent's will required Mr. Gregory to make timely payments of taxes and insurance on the real property for a period of 10 years following decedent's death before Mr. Gregory earns the right to inherit the real property. Decedent died 11/15/05.
5. As decedent's will and the Court required Mr. Gregory to make timely payments, petitioner requests instruction whether Mr. Gregory still in "substantial compliance" with the terms of the will, and if petitioner should accept a late payment tendered or has Mr. Gregory forfeited his right to inherit the subject real property.
6. Petitioner requests that the court order Mr. Gregory to reimburse the estate for reasonable attorney fees and costs in the amount of \$1,365.50 expended in this petition. Itemized.
7. Objections filed by Jaysen Gregory. Mr. Gregory alleges that he received a confusing bill and was not sure what fees were being requested. Mr. Gregory alleges that he called petitioner for explanation of the bill and what he was requested to pay, but petitioner failed to return his phone calls. Mr. Gregory further requests that all parties pay their own attorney's fees.

**RECOMMENDATION:**

Matter is contested.

(kra/cbr/kra)

**FUTURE HEARING DATES:**

1/27/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR  
HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/03/08 TIME: 9:00 DEPT: E2  
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CASE #: VPRVS003016

CASE NAME: ESTATE OF PATRICIA L GROTHEM  
HEARING:  
Petition for FINAL DISTRIBUTION ON WAIVER OF ACCOUNT

COUNSEL:  
JENNIFER COLE (PET)...JOHN L WELCH  
PATRICIA L GROTHEM (DEC)...

#### GENERAL INFORMATION

Continued from **7/23/08**. Court directed counsel to submit a more detailed itemization of expenses to be reimbursed.

Continued from 8-27-08 Court again ordered that a more detailed account be filed.

**Continued from 10/2/08 at request of counsel to file supplement re statutory fees based on I&A and loss. Nothing new filed.**

THIS CASE SET FOR HEARING ON Petition for Final Distribution and Waiver of Account.

#### THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. All heirs waive accounting.
2. Petitioner advanced funds in the amount of \$26,741.49. Itemized. After request for reimbursement of the said advanced funds, the estate would be insolvent. Cash on hand \$1,524.16 and personal property valued at \$15,700.00 totaling \$17,224.16. Petitioner proposes to accept the personal property assets along with cash for full satisfaction of her reimbursement. Need more detailed itemization of expenses for period 7/23/08 and 8-27-08 requirement of court. Supp: itemization filed with copies of receipts indicating several mortgage payments and second mortgage payments as the bulk of the expenses. JTD
3. Petitioner and counsel waive fees. Supp: It appears that counsel was paid \$3,500 in fees. Copy of check enclosed. Does court wish to require itemization, and is counsel waiving all fees? If so, does court wish to require reimbursement? JTD

#### RECOMMENDATION

Need supplement as ordered on 10/2/08. If approved, court to set hearing re filing receipts and final discharge for **11/9/09**.

(cbr/abs/NMT/cbr/kra)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR  
HONORABLE JUDGE CYNTHIA LUDVIGSEN **CONSERVATORSHIP**

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DATE: 11/03/08 TIME: 10:30 DEPT: E2  
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CASE #: CONPS0600052

CASE NAME: MTR OF DESIRAE MARIE MYERS

HEARING:

Hearing Re: Conservatorship Compliance Review

COUNSEL:

GEORGIA A MYERS (CP)...PRO/PER  
DESIRAE MARIE MYERS (CTP)...ANNETTE G DE BELLEFEUILLE  
KIMBERLY MYERS (CP)...PRO/PER

GENERAL INFORMATION

Continued from **11/26/07** No appearance, **12/31/07** No appearance, **2/25/08** No appearance, **4/14/08**. No appearance, **6/2/08** No appearance. Petitioner is ordered to appear at the next hearing. Clerk mailed notice. Nothing new filed.

Continued from **7/7/08** as Atty deBellefeuille reports that the conservatee has been removed to Oklahoma and that conservatee and co-conservators cannot be found. Court orders **CO-CONSERVATORS' POWERS SUSPENDED**.

Continued from 08-11-08. Matter referred to Regional Center to identify if disability payments or services are being received by conservatee and who the payee is, as conservatee is residing in Oklahoma. Notice given by courtroom clerk. Nothing new filed.

**Continued from 9/22/08 as IRC is ordered to check with their counterpart in Enid, OK as to whether the conservatee is receiving services and if a welfare check has been done on conservatee. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON Conservatorship compliance review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. On 8/20/07 court appointed Georgia Myers as conservator of the person only
2. Report of court appointed counsel filed 7/8/08 recommends the court appoint the Court Investigator to confirm her findings with the Regional Center. JTD
3. Need proof of service of a copy of the Order for Conservatorship with Notification of Conservatee's rights per Pr.C.§1830(c).
4. Need Statement of Care Plan in accord with Pr.C.§2352.5.
5. Need report from Inland Regional Center as ordered by the Court on 8/11/08.

RECOMMENDATION: Need to clear notes 3-5.

(/kra/vet/kra)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/03/08 TIME: 10:30 DEPT: E2  
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CASE #: CONPS0700076

CASE NAME: JOSHUA O QUIEL

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of JORGE O QUIEL

COUNSEL:

JORGE O QUIEL	(CP )...THE WELCH LEGAL GROUP
GLADYS M QUIEL	(CP )...THE WELCH LEGAL GROUP
JOSHUA O QUIEL	(CTP)...C.L. FARRELL

GENERAL INFORMATION:

Continued from **4/17/08**. Attorney Farrell objects to the inventory. The Court finds the inventory insufficient and orders counsel for petitioner to file an amended I&A.  
Continued from **5/22/08 and 7/24/08** to file a corrected inventory  
Continued from **8-28-08**. Court found that Attorney Farrell need not file formal objections. Request for continuance to 1-22-09 was denied. Nothing new filed.  
**Continued from 10/2/08 as corrected I&A filed 9/25/08, but need bank statements. Care plan is also to be filed.**

THIS CASE IS SET FOR HEARING ON filing Inventory and Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Inventory filed 3/18/08 is insufficient. Personal property items are an Attachment No. 2 item which must be valued by the probate referee. Need corrected Inventory. *Corrected I&A filed. However. It appears the actual date the Court appointed petitioners was 11/15/07, no bond, but the order was not filed until 2/7/08. Need bank statement confirming the balance as of date of appointment of 11/15/07 and corrected I&A if needed. Bank statements filed. However, need bank statements and Inventory and Appraisal value as of date of appointment per Pr. C. § 2610. Date of appointment is 11/15/07.*
2. Need proof of service of a copy of the Order for Conservatorship with Notification of Conservatee's rights per Pr.C. §1830(c).

3. Need Statement of Care Plan in accord with Pr.C.§2352.5. **Declaration filed by counsel indicating care plan is not required due to Conservatee receiving benefits from Inland Valley Regional Center. However, the Pr. C. § 2352.5(e)(1) states that Inland Valley Regional Center is to be the Conservator *and* the Conservatee is to be receiving benefits from Inland Valley Regional Center. The Conservator is not Inland Valley Regional Center, therefore care plan is still required.**
4. Court Investigator 6 month report filed.

#### RECOMMENDATION

When documents are not filed as ordered, court may set a hearing in accord with Pr.C.§2655  
(gls/NMT/kra/cbr)

#### FUTURE HEARING DATES:

1/22/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/03/08 TIME: 10:30 DEPT: E2  
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CASE #: CONPS0800180

CASE NAME: BRIAN E HARRIS

HEARING:  
Petition for ATTORNEY FEES ETC

COUNSEL:  
PAMELA HARRIS (CP )...DENNIS M SANDOVAL  
BRIAN E HARRIS (CTP)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for attorney fees

#### THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner represents the conservator of the person only.
2. Petitioner requests fees of \$2,700.00 less \$330.00 for costs advanced for a total request of \$2,370.00. Billing is based on a rate for attorneys at \$350-\$200/hour and paralegal at \$100.00 Court to determine if fees are reasonable.
3. Petitioner requests these fees paid by the estate. As the conservatorship does not contain estate assets, question how petitioner proposes to be paid.

RECOMMENDATION:  
Court's discretion.  
(kra)

FUTURE HEARING DATES:  
3/12/09 Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of PAMELA HARRIS

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/03/08 TIME: 10:30 DEPT: E2  
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CASE #: SC SS02552

CASE NAME: MATTER OF GLORIA BLOOM  
**COMPANION FILE= PROPS0600060**

**SEE ALSO 18**

HEARING:  
Hearing Re: Status Report

COUNSEL:

RANDI L GUERRERO	(CP )...EDWARD B FISCHEL
GLORIA BLOOM	(CTP)...LENITA A SKORETZ
GARY BLOOM	(SC )...ANNETTE G DE BELLEFEUILLE
LINDA EGGLESTON	(SC )...PRO/PER
LAWRENCE A DEAN	(CPE)...PRO/PER
LINDA EGGLESTON	(TP )...PRO/PER

GENERAL INFORMATION:

**Continued from 08-04-08 for receipts from Attorneys Skoretz and Fischel.  
Continued from 9/22/08 at request of court for filing receipts –to go off calendar  
when filed**

THIS CASE IS SET FOR HEARING ON Status Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

- 1 Matter set at the time set for hearing re petition to confirm orders as judgment on 5/19/08. Court directs Ms. DeBellefeuille to file an accounting on behalf of Gary Bloom and a report regarding the status of house listing, a list of expenses necessary to maintain the house (insurance, repairs, etc.) to get house sold. Parties were to return on 6/6/08 with the intent to resolve by paying at least some of the outstanding fees
- 2 On 6/6/08, the court ordered distribution of the Trust for payments of fees and that Attorney deBellefeuille is to make said payments by 6/17/08. Court may wish to

inquire whether payments to Lawrence Dean (\$2,875), Attorney Kastilahn (\$4,525), Attorney Skoretz (\$2,675) and Attorney Fischel (\$4,500) have been made.

3 No receipts filed.

RECOMMENDATION:

Court's discretion

(gls/vet/kra)

FUTURE HEARING DATES:

11/20/08 Hearing re Final Discharge

1/07/09 Court Trial set for Petition For Conservatorship of Randi L Guerrero

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/03/08 TIME: 10:30 DEPT: E2  
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CASE #: SC SS02552

CASE NAME: MATTER OF GLORIA BLOOM  
**COMPANION FILE= PROPS0600060**

**SEE ALSO 17**

HEARING:  
FIRST Account and Report of GARY BLOOM and Petition for fees

COUNSEL:

RANDI L GUERRERO	(CP )...EDWARD B FISCHER
GLORIA BLOOM	(CTP)...LENITA A SKORETZ
GARY BLOOM	(SC )...ANNETTE G DE BELLEFEUILLE
LINDA EGGLESTON	(SC )...PRO/PER
LAWRENCE A DEAN	(CPE)...PRO/PER

GENERAL INFORMATION:

Accounting covers period: 9/13/08 – 5/15/08  
Assets on hand: \$3,072.82 (cash of \$72.82 and the balance in carry value of a vehicle)  
Continued from 08-04-08 for response to objections and supplement to clear deficiencies.  
**Continued from 9/22/08 for Ms DeBellefeuille to file a status report re cleaning out the house and returning sentimental items. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON First Account Current of Gary Bloom

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner alleges that the conservatee died on 10/27/06. It would appear that this would be a final accounting provided that petitioner has marshaled all of the conservatorship assets from the prior conservator, Mr. Dean.
2. Petitioner alleges that Lawrence Dean has not accounted for an NSF charge of \$8.50 and the balance of a Community Bank account discrepancy of \$1,169.98.
3. On disbursements, petitioner adds carried balances from Schedules C-1, C-2, C-3 and C-4. However, these schedules are not affixed. Please file same.

4. The accounting schedules include assets that petitioner alleges were transferred into the Trust of conservatee. Question why the Trust assets are included? File verified supplement It cannot be determined what receipts/disbursements are those of the conservatorship and what receipts/disbursements are chargeable to the Trust. Furthermore, the accounting schedules are schedules representing a "simplified" accounting. However, this accounting appears to be a standard accounting as the starting balance exceeds \$500,000 and there is an interest in real property. Court may wish to require petitioner to file a proper standard accounting, one for the conservatorship and one for the Trust. JTD
5. Attorney alleges a separate petition for attorney's fees will be filed in this matter.
6. No fees are sought by petitioner.
7. **Objection filed by Randi Guerrero to First Account Current of Gary Bloom, Conservator.**

RECOMMENDATION:

Need to clear notes, then Court may wish to set matter for contested hearing.  
(gls/vet/kra)

FUTURE HEARING DATES:

11/20/08 Hearing re Final Discharge

1/07/09 Court Trial set for Petition for Conservatorship of Randi L Guerrero

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/03/08 TIME: 10:30 DEPT: E2  
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CASE #: SC SS02930

CASE NAME: MTR OF RICHARD MARRAPESE

**SEE ALSO 20**

HEARING:  
Hearing re: Inventory and appraisal

COUNSEL:  
MELODIE Z SCOTT (CPE)...  
RICHARD MARRAPESE (CEP)...ROGER E WALKER  
JAMES MARRAPESE (SC )...LINDA ROBERTS ROSS  
RICK MARRAPESE (PET)...PRO/PER

GENERAL INFORMATION

Continued from **06-04-08** at request of counsel. Notice to be given by Attorney Roberts-Ross to Veterans Administration. Nothing new filed.

**Continued from 7/15/08 at request of counsel. Nothing new filed.**

THIS CASE SET FOR HEARING ON Inventory and Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Partial No. 1 Inventory and Appraisal filed on 04/10/08. However, Attachment 1 is not provided. File verified supplement.
2. Need final Inventory and Appraisal.
3. Need Notice of Hearing and proof of service.

RECOMMENDATION

Inquire status. When an inventory and appraisal is not filed as ordered, the court may set a hearing in accord with Pr.C. 2614. There is no bond company to notice.  
(cbr/vet/kra)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR  
HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/03/08 TIME: 10:30 DEPT: E2  
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CASE #: SC SS02930

CASE NAME: MTR OF RICHARD MARRAPESE

**SEE ALSO 19**

HEARING:

FIRST Account and Report of RICHARD MARRAPESE and Petition for fees

COUNSEL:

MELODIE Z SCOTT (CPE)...  
RICHARD MARRAPESE (CEP)...ROGER E WALKER  
JAMES MARRAPESE (SC )...LINDA ROBERTS ROSS  
RICK MARRAPESE (PET)...PRO/PER

GENERAL INFORMATION

Continued from **05-13-08 and 06-04-08** at request of counsel. Conservatee was discharged on 04-30-08 to the care of James Marrapese and is living in his home. Continued from 8/18/08 at request of counsel to file a declaration or supplement stating waivers of accounting. Nothing new filed.

**Continued from 9/29/08 for counsel to file P&As to support the court accepting waivers in a conservatorship case as waivers of accounting filed on behalf of all parties. Counsel may file a petition to terminate and have set for the same date.**

THIS CASE IS SET FOR HEARING ON First Account and Petition for Fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner was appointed successor conservatee of person and estate on 6/2/06.
  2. Accounting period 6/2/06 to 2/5/08 (20 months).
  3. Assets on hand \$739.00.
  4. Partial Inventory & Appraisal filed on same date as this accounting. Need Final Inventory & Appraisal's starting point for accounting assets.
  5. Petitioner reports that conservatee's son, Rick, was paid 42 cents per mile for a 150/day round trip to care for conservatee, that it was not known that court approval should have been obtained for such payments and that certain payments for son's credit card were made to cover rent, gas, telephone, utilities, meals, and other expenses related to ongoing travel to care for conservatee.
- Issues:

- a. Question how some of these expenses (e.g., rent, utilities, telephone, miscellaneous expenses) were travel related. Need verified supplement.
  - b. These disbursements show as dozens of ATM withdrawals (hundreds of dollars per event) throughout the accounting period, as well as payments of \$2,000+ per event to son's credit card. It is therefore impossible to analyze the propriety of the spending and cash movements of conservator.
  - c. Petitioner requests continuing authority to pay son's expenses in lieu of a nurse that would be required but for son's daily care. Suggest court require a more regimented and verifiable method for payment including potential monthly allowance or hourly billing.
6. Attorney does not request specific fees in the petition but attaches a declaration itemizing \$9,160 fees. Itemized, attorney at \$250/hr, paralegal at \$140/hr, and clerical staff at \$50/hr. issues (need verified supplement):
  - a. \$2,500 retainer paid, amount should be reduced by retainer. Also, petitioner requests reimbursement for fees advanced.
  - b. Dues process concern that request for fees was not made in petition, limiting the ability of interested parties to respond.
  - c. On what basis does atty bill non-attorney or paralegal time? CRC 7.754 limits billing to attorneys and qualified paralegals. (\$25 billed by clerical staff.)
  - d. CRC Rules 7.754 and 7.703(e) require a statement of the paralegal's qualifications. Need verified supplement.
7. Reports and special reports filed by Court Investigator.
8. Bank statements attached to accounting are not on letterhead and appear to be word processed. Suggest court require proper bank statements or authentication.
9. Need bank statements for period preceding appointment and period of Inventory & Appraisal (appointment) - (provided statements do not cover some of the relevant periods).
10. Summary of account and schedules are not on the new mandatory Judicial Council forms. Does court wish to require amended accounting or to advise parties to file all accountings on the required forms in the future?
11. Accounting does not balance by \$115.50. Need verified supplement.
12. Need notice of hearing and proof of service, including service upon Veterans Administration.
13. Petitioner prays for termination of conservatorship and return to authority per prior power of atty. Issues:
  - a. Request is not supported nor included in the title of the petition. Suggest court require separate petition for termination of appropriate.
  - b. That power of attorney is described only as for health care decisions. How would conservatee's finances be managed?
14. Suggest court require report of appointed counsel (Roger Walker).

## RECOMMENDATION

Need to clear notes.

(/abs/vet/kra)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/03/08 TIME: 10:30 DEPT: E2  
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CASE #: SC SS03116

CASE NAME: MTR RE TIFFANY ROSE POULSEN

**SEE ALSO 20B**

HEARING:  
Petition for TERMINATION OF CONSERVATORSHIP OF THE ESTATE

COUNSEL:  
SHIRLEY SILVA (CPE)...JAMES B CHURCH  
TIFFANY ROSE POULSEN (CEP)...  
SHIRLEY SILVA (CPE)...JAMES B CHURCH  
TIFFANY ROSE POULSEN (CEP)...MELVIN L FRIEDLAND  
LISA MILLER (OBJ)...CARROLL M LA SON

GENERAL INFORMATION:  
**Continued from 10/2/08. No appearance. Court requires proper notice. Clerk mailed copy of M/O.**

THIS CASE IS SET FOR HEARING ON Petition to terminate conservatorship of the estate.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Based on the amount of assets in the estate as is evidenced by the inventory and appraisal and based upon the recommendation of the Court Investigator, petitioner, Conservator, requests that conservatorship of the estate be terminated.
2. Based on the information contained in the inventory and appraisal and the petition the estate would qualify for a waiver of accounting.

RECOMMENDATION:  
Court's discretion

(NMT/kra/cbr)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/03/08 TIME: 10:30 DEPT: E2  
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CASE #: SC SS03116

CASE NAME: MTR RE TIFFANY ROSE POULSEN

**SEE ALSO 20A**

HEARING:  
Accounting Review

COUNSEL:  
SHIRLEY SILVA (CPE)...JAMES B CHURCH  
TIFFANY ROSE POULSEN (CEP)...  
SHIRLEY SILVA (CPE)...JAMES B CHURCH  
TIFFANY ROSE POULSEN (CEP)...MELVIN L FRIEDLAND  
LISA MILLER (OBJ)...CARROLL M LA SON

See notes on prior page (matter #20A).

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN **MISC.**

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DATE: 11/03/08 TIME: 1:30 DEPT: E2  
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CASE #: PROPS0700786

CASE NAME: THE ALLEN L. HABEKOST & JACQUELINE A. HABEKOST

HEARING:

Court Trial set for PETITION FOR PROBATE of CHERYL HABEKOST

COUNSEL:

CHERYL HABEKOST (PET)...JACK B OSBORN  
JACQUELINE A HABEKOST (RES)...BETTY AUTON-BECK

No calendar notes as this is on for Court Trial.